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FREEDOM IN THE WORLD 2023

Azerbaijan

NOT FREE

9
/100

<u>Political Rights</u>	2 /40
<u>Civil Liberties</u>	7 /60

LAST YEAR'S SCORE & STATUS

9 /100 **Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Note

The numerical scores and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report **methodology** and **FAQ**.

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. Azerbaijan won control of a third of the territory of Nagorno-Karabakh along with some adjacent land during a weeks-long conflict with Armenia in 2020, at the cost of over 2,900 soldiers.

Key Developments in 2022

- Clashes between Azerbaijani and Armenian military forces continued during the year. The military conflict escalated when Azerbaijani troops entered Armenia in September; active fighting took place over a two-day period and reportedly resulted in the deaths of nearly 100 Azerbaijani soldiers and over 200 Armenian soldiers.
- A draft law regulating political parties was introduced in the Milli Mejlis in September. The opposition expressed concern that the legislation, which remained awaiting presidential approval at year's end, was created to stifle dissent and limit the ability of opposition parties to operate.

Political Rights

A. Electoral Process

A1 0-4 pts

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

0 / 4

The president is directly elected for seven-year terms. There are no term limits. Since the early 1990s, elections have not been considered credible or competitive by international observers. President Ilham Aliyev—who succeeded his father, Heydar, in 2003—won a fourth term in 2018 with some 86 percent of the vote amid evidence of electoral fraud and a boycott by the main opposition parties. Organization for Security and Co-operation in Europe (OSCE) observers found that the election lacked genuine competition due to a restrictive political environment in which the seven nominal opposition candidates did not openly confront or criticize the president.

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

The prime minister and cabinet are appointed and dismissed by the president. Prime Minister Ali Asadov was appointed in 2019.

A2 0-4 pts

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

0 / 4

The 125 seats in Azerbaijan's unicameral Milli Mejlis, or National Assembly, are filled through elections in single-member districts, with members serving five-year terms.

Aliyev dissolved the parliament in December 2019, and snap elections were held in February 2020. The ruling New Azerbaijan Party (YAP) won 70 parliamentary seats, while independents won 41 and the remainder were won by smaller parties; contests for 4 seats were not immediately decided. Turnout stood at 46.8 percent. A major opposition alliance, the National Council of Democratic Forces, boycotted the elections. OSCE monitors criticized the conduct of the poll, noting procedural and tabulation concerns and ultimately questioning “whether the results were established honestly.”

A3 0-4 pts

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

0 / 4

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

Election observers have repeatedly condemned restrictions on freedom of assembly, the inability of candidates to obtain permission to hold rallies or appear on television, political interference with courts investigating electoral violations, and noncompliance with past European Court of Human Rights (ECHR) decisions on election issues. OSCE monitors present during the February 2020 parliamentary elections noted pervasive electoral misconduct, including verbal and physical abuse directed against candidates’ representatives and monitors.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system

1 / 4

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

Political dialogue between the government and the opposition began in 2020, resulting in the creation of new political parties for the first time since 2011. Another two parties were registered in 2021 as part of the process, which has been presented by the government as a "new political configuration." However, critics say that the new parties are not genuine opposition groups and that the dialogue has been dominated by the government.

In September 2022, a draft law regulating political parties was introduced in the Milli Mejlis. If adopted, the legislation would impose numerous new restrictions on the activities of political parties in Azerbaijan. Among other things, the bill included provisions requiring that new political parties have 200 founding members, each of whom has lived in Azerbaijan without interruption for the previous 20 years. Critics say the draft law is intended to stifle dissent, and would affect the ability of existing opposition parties to operate as well as prevent new parties from forming. The bill passed its first reading in the parliament in November, and remained awaiting presidential approval at year's end.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	O / 4
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The Aliyev family has held the presidency since 1993. The biased electoral framework and repressive media and political environment effectively make it impossible for opposition parties to gain power through elections. The traditional

opposition parties boycotted the most recent parliamentary, presidential, and municipal elections rather than take part in an unfair process.

Opposition politicians and party officials are subject to arbitrary arrest on dubious charges, physical violence, and intimidation. In 2021, Niyameddin Ahmedov, a member of the opposition Popular Front Party of Azerbaijan (AXFP), was sentenced to 13 years in prison for financing terrorism, a charge his lawyers called politically motivated.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

1 / 4

The authoritarian system in Azerbaijan excludes the public from any genuine and autonomous political participation. The regime relies on abuse of state resources, corrupt patronage networks, and control over the security forces and criminal justice system to maintain its political dominance.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

0 / 4

The political system does not allow women or minority groups to organize independently or advocate for their respective interests. There are no meaningful mechanisms to promote increased representation of women and ethnic or religious minorities. The government has worked to stifle public expressions of ethnic Talysh and Lezgin identity, among other targeted groups.

Internally displaced persons (IDPs) who left Nagorno-Karabakh and settled in other parts of Azerbaijan after the 1994 cease-fire have been unable to participate in municipal elections where they subsequently settled and are instead directed to vote for their former districts.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0 / 4

Neither the president nor members of parliament are freely or fairly elected, and the parliament is unable to serve as a meaningful check on the powerful presidency. Lawmakers and lower-level elected officials essentially carry out the instructions of the ruling party.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

0 / 4

Corruption is pervasive. In the absence of a free press and independent judiciary, officials are held accountable for corrupt behavior only when it suits the needs of a more powerful or well-connected figure. In 2022, multiple high-ranking officials were arrested on corruption charges in the Azerbaijani exclave of Nakhchivan.

Investigative reports published by foreign media in recent years have revealed evidence that the Aliyev family has used their positions to amass large private fortunes. The resources were reportedly used in part to improperly influence the Parliamentary Assembly of the Council of Europe in order to minimize criticism of electoral conduct and alleged rights abuses. In 2021, the Pandora Papers—an investigation by the International Consortium of Investigative Journalists (ICIJ)—revealed that a network of offshore companies linked to Aliyev’s family had traded around £400 million (\$522.1 million) in property in the United Kingdom since 2006.

In June 2022, independent news outlet Abzas Media released a report showing that businesses connected to high-ranking officials—including companies linked to Aliyev’s wife and daughters—have been awarded government contracts to develop agricultural land on the territories Azerbaijan gained during the 2020 Nagorno-Karabakh conflict.

C3 0-4 pts

Does the government operate with openness and transparency?	O / 4
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Government operations are opaque. Although public officials are nominally required to submit financial disclosure reports, procedures and compliance remain unclear, and the reports are not publicly accessible. There are legal guarantees for citizens' access to information, but also broad exceptions to this right, and authorities at all levels systematically refuse to respond to information requests.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	O / 4
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Constitutional guarantees for press freedom are routinely and systematically violated, as the government works to maintain a tight grip on the information landscape. Defamation remains a criminal offense. Legal amendments passed in 2017 extended government control over online media, allowing blocking of websites without a court order if they are deemed to contain content that poses a danger to the state or society. Independent news sites are regularly blocked or struck with cyberattacks.

Journalists face detention or imprisonment on false charges, along with travel bans. In late 2020, Polad Aslanov, editor in chief of news sites Xeberman and Press-az, received a 16-year prison sentence for selling state secrets to Iran. Aslanov claimed that he was targeted for reporting on corruption.

Journalists also risk surveillance. In 2021, the Organized Crime and Corruption Reporting Project (OCCRP) reported that Azerbaijani journalists were among

those targeted with the Pegasus spyware tool, which was likely supplied to the Azerbaijani government.

In 2021, Aliyev issued a presidential decree that called for “media reforms” and created a new media body, the Media Development Agency (MEDIA). That December, the parliament passed a bill authored with MEDIA’s involvement that, among other things, requires journalists to register with the authorities and media owners to reside in Azerbaijan. Local and international media rights groups criticized the legislation, which was approved by Aliyev in February 2022.

Journalists—and their relatives—face harassment, violence, and intimidation, including by authorities. In February 2022, journalist Fatima Movlamli reported being beaten by police after refusing to delete a recording she made while covering a protest. Journalist Ayten Mammadova was attacked by an unknown man because of her work in May. The assailant threatened Mammadova and her young child with a knife, and demanded that Mammadova cease her coverage of an unnamed trial.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

0 / 4

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

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

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

1 / 4

The authorities have long curtailed academic freedom. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons. The Azerbaijani history curriculum is known to include negative and discriminatory references to Armenians.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

1 / 4

Law enforcement bodies monitor private telephone and online communications—particularly of activists, political figures, and foreign nationals—without judicial oversight. The escalation of government persecution of critics and their families has undermined the assumption of privacy among ordinary residents and eroded the openness of private discussion. Even state officials have been punished for their and their family members' social media activity, and activists have been imprisoned—on unrelated, fabricated charges—for critical Facebook posts. In recent years, activists have been targeted by spear-phishing campaigns designed to install malicious software on their computers or steal personal information. Activists report that harassment on social media, often highly sexualized for women activists, is commonplace.

Social media users and antiwar activists who signed a statement calling for a peaceful resolution to the 2020 conflict over control of Nagorno-Karabakh were harassed and threatened online, prompting at least one activist to remove their signature.

In 2021, the OCCRP reported that people who had casual or familial connections to activists and journalists were targeted with Pegasus.

E. Associational and Organizational Rights

E1 0-4 pts

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

In May 2022, about 30 people were detained prior to a planned antigovernment protest, organized by activists in response to several incidents in which the rights of opposition politicians, journalists, and members of civil society had been violated.

Unlike in previous years, the police did not prevent a rally held by women’s rights activists on International Women’s Day in March. However, several participants reported that police mistreated LGBT+ activists and confiscated pro-LGBT+ flags and placards on the day of the march.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	0/4
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Repressive laws on nongovernmental organizations (NGOs) have been used to pressure both local and foreign organizations, many of which have suspended operations when their bank accounts were frozen or their offices raided. Nearly all organizations or networks that work on human rights are forced by the state to

operate in a legal gray zone. The government has refused to permit the European Union to provide grant support for local civil society groups. Civic activists are routinely subjected to harassment, intimidation, detention, and abuse by police.

Activists also risk surveillance; a 2021 OCCRP report noted that over 40 Azerbaijani activists were likely targeted with Pegasus, along with family members.

Several activists were arrested on spurious charges during 2022. Human rights defender Bakhtiyar Hajiyev was arrested on hooliganism charges in December; his lawyer called the charges “manufactured,” saying they were connected to his activism. More than 30 people were detained during a rally held in support of Hajiyev the same month, including prominent opposition activist Tofiq Yagublu. Yagublu was convicted of “petty hooliganism” and “disobeying the police” the same day he was arrested. Both Hajiyev and Yagublu remained in detention at year’s end.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

1 / 4

Although the law permits the formation of trade unions and the right to strike, the majority of unions remain closely affiliated with the government, and many categories of workers are prohibited from striking. Most major industries are dominated by state-owned enterprises, in which the government controls wages and working conditions.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

0 / 4

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

F2 0-4 pts

Does due process prevail in civil and criminal matters?

0 / 4

Constitutional guarantees of due process are not upheld. Arbitrary arrest and detention are common, and detainees are often held for long periods before trial. Political detainees have reported restricted access to legal counsel, fabrication and withholding of evidence, and physical abuse to extract confessions.

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

F3 0-4 pts

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

0 / 4

International observers have consistently concluded that both torture and impunity for the perpetrators of such abuse are endemic in the Azerbaijani criminal justice system. Police regularly administer beatings during arrest or while breaking up protests. Prison conditions are substandard. Medical care is generally inadequate, and overcrowding is common.

Azerbaijanis were affected by armed conflict with Armenia during 2020. The two countries engaged in a full-scale conflict over control of Nagorno-Karabakh that September. The conflict ended that November after a Russian-brokered cease-fire was agreed; under its terms, Azerbaijan would retain control of parts of Nagorno-Karabakh gained during the fighting, along with adjacent land held by Armenia. Baku reported that approximately 2,900 soldiers died in the fighting, while at least 146 civilians on both sides were killed. The conflict was marked by reported acts of

mistreatment, desecration, and vandalism. Azerbaijani forces have been accused of physically abusing Armenian prisoners of war (POWs).

Military clashes between Azerbaijan and Armenia continued during 2022. In September, Azerbaijani military forces entered Armenian territory. The escalation of the ongoing military conflict reportedly resulted in the deaths of nearly 100 Azerbaijani soldiers and over 200 Armenian soldiers. Active fighting took place over a two-day period, though the subsequent cease-fire has been regularly violated. Official reports included credible evidence that Azerbaijani troops had committed war crimes.

F4 0-4 pts

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

0 / 4

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

While IDPs from the Nagorno-Karabakh conflict that ended in 1994 are entitled to special assistance, they face severe infringements on their economic and social rights and freedom of movement. Many are housed in dormitories or substandard housing and are unable to change their place of residence, which is often located out of range of sources of employment or adequate medical care.

Although same-sex sexual activity is legal, LGBT+ people experience societal discrimination and risk harassment by the police. In 2017, police fined or detained dozens of people for weeks in a coordinated crackdown that led many LGBT+ residents to flee the country. In recent years, local and international NGOs have called on the authorities to investigate anti-LGBT+ attacks and take measures to protect LGBT+ individuals. In February 2022, openly gay LGBT+ activist Avaz Shikhmammadov—known as Avaz Hafizli—was murdered by his cousin, Amrulla Gulaliyev, who confessed to killing Hafizli because of his sexual orientation. Gulaliyev was sentenced to nine years and six months in prison in July. Activists noted that Hafizli's murder was not prosecuted as a hate crime.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

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

1 / 4

The government restricts freedom of movement, particularly foreign travel, for opposition politicians, journalists, and civil society activists. While travel bans were lifted for some dissidents during 2019, many others remained in place, including for some of the political prisoners released that year; others fled the country to avoid further persecution. Some travel bans remained in effect in 2022 and were extended to the families of political emigrants.

IDPs from the previous Nagorno-Karabakh conflict enjoy freedom of movement in law, but not in practice. IDPs are legally registered at their place of initial resettlement, which are sometimes in rural areas and far from any source of employment. The process of changing registration is difficult, and IDPs who change their place of registration risk losing their status and accompanying state assistance. As a result, many families are separated, with usually male wage-earners relocating to urban centers for work while their families remain at their place of registration. In 2021, President Aliyev established the Karabakh Revival Fund, which is meant to finance infrastructure development in Nagorno-Karabakh to allow IDPs to return there. During 2022, several families who had been displaced in the 1990s were resettled on the territory taken by Azerbaijan following the 2020 Nagorno-Karabakh conflict.

Most of Azerbaijan's land borders remained closed into 2022, ostensibly for COVID-19-related reasons. Following the Russian military invasion of Ukraine in February, flights between Russia and Azerbaijan were suspended, which, combined with the land border closures, left many Azerbaijanis living in Russia unable to return to Azerbaijan during the year.

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

G2 0-4 pts

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

1/4

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

G3 0-4 pts

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

1/4

The law generally grants women and men the same rights on personal status matters such as marriage, divorce, and child custody. Domestic violence is a notable problem, and related legal protections are inadequate. Conservative social norms contribute to the widespread view that domestic violence is a private matter, which discourages victims from reporting perpetrators to the police. However, the growth of social media and the movement of rural populations to Baku in recent years have spurred public discussion of the issue.

Gender-based violence is a persistent problem. Sexual assaults frequently go unreported, and those that are reported often are not prosecuted.

In 2021, new legislation imposing mandatory mediation on those seeking to divorce came into force. The law introduces a number of obstacles for those wishing to divorce, especially for people outside of large cities who may not have access to official mediation services. Critics say that the law will disproportionately disadvantage people who cannot secure legal representation or those who are

otherwise vulnerable, such as survivors of domestic abuse attempting to divorce their abuser.

G4 0-4 pts

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

1 / 4

Legal safeguards against exploitative working conditions are poorly enforced, and many employers reportedly ignore them without penalty. Children are vulnerable to sexual exploitation and forced labor.

The government has taken some steps to combat forced labor and sex trafficking, including by prosecuting traffickers and providing services to victims, but the problem persists, notably among Romany children and foreign household workers. The authorities extended a preexisting moratorium on labor inspections through the end of 2021.

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



On Azerbaijan

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Country Facts

Global Freedom Score

9/100 Not Free

Internet Freedom Score

37/100 Not Free

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