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Freedom in the World 2018

Azerbaijan *Profile*

FREEDOM STATUS: **NOT FREE**

Freedom in the World Scores

Freedom Rating



Political Rights



Civil Liberties



(1=Most Free, 7=Least Free)

Aggregate Score: 12/100 (0=Least Free,
100=Most Free)

Quick Facts

Population:	9,800,000
Capital:	Baku
GDP/capita:	\$5,500
Press Freedom Status:	Not Free
Net Freedom Status:	Partly Free

Overview:



In Azerbaijan's authoritarian government, power remains heavily concentrated in the hands of Ilham Aliyev, who has served as president since 2003. Corruption is rampant, and following years of persecution, formal political opposition is weak. The regime has overseen an extensive crackdown on civil liberties in recent years, leaving little room for independent expression or activism.

Key Developments in 2017:

- President Aliyev appointed his wife, Mehriban Aliyeva, as vice president in February. The post had been created via constitutional changes that were pushed through in 2016 without meaningful parliamentary debate or public consultation.
- In May, a Baku court upheld a ban on five independent media websites, on grounds that they threatened national security.
- In September, Azerbaijani police arrested dozens as part of a crackdown on LGBT (lesbian, gay, bisexual, and transgender) people.
- An investigation by international media outlets exposed a \$2.9 billion money-laundering scheme and slush fund used to lobby for Azerbaijani interests in Europe, and to benefit the Azerbaijani elite. Recipients of money from the so-called Azerbaijani Laundromat reportedly included former members of the Council of Europe.

Political Rights and Civil Liberties:



POLITICAL RIGHTS: 3 / 40 (-1)

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Since the early 1990s, elections have not been considered credible or competitive by international observers. In the 2013 election, President Ilham Aliyev—who succeeded his father, Heydar, in 2003—won a third term in a predictable landslide victory amid significant evidence of electoral fraud.

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

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Elections to the 125 seats in Azerbaijan’s unicameral Milli Mejlis, or National Assembly, were held in 2015 amid a government campaign against criticism and dissent. The

main opposition parties boycotted the vote. According to official results, Aliyev's ruling Yeni Azerbaijan Party (YAP) won 71 seats, with 41 going to independent candidates who tend to support the ruling party, and the remaining 12 split among small progovernment parties. Two international election monitoring mission from the Organization for Security and Co-operation in Europe (OSCE) declined to send monitors, saying restrictions placed by the government on the number of observers permitted would make effective and credible observation impossible.



A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral laws and framework 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, and 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.

In 2016, voters approved a package of constitutional changes that were pushed through without meaningful debate or consultation; among other changes, the legislation further concentrated power within the president's office.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4



The political environment in Azerbaijan is neither pluralistic nor competitive, and mechanisms for public participation are limited by the dominance of the president's YAP party. A number of laws passed over the past decade limit candidates' ability to organize and hold rallies. The political opposition has virtually no access to coverage on television, which remains the most popular news source in Azerbaijan.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Opposition politicians and party officials are subject to arbitrary arrest on dubious charges, as well as physical violence and other forms of intimidation. Ilgar Mammadov, leader of the Republican Alternative movement, remained behind bars at the end of 2017 on politically motivated charges, in breach of a 2014 European Court of Human Rights (ECHR) decision. In December 2017, the Committee of Ministers of the Council of Europe initiated infringement proceedings against Azerbaijan over the government's refusal to release Mammadov. In May, Gozel Bayramli, the deputy chairperson of the opposition Popular Front Party, was detained on charges of carrying \$12,000 in undeclared funds into the country; she claimed that police had planted the money, and that she was arrested for political reasons. Her predecessor, Fuad Gahramanli, was

arrested in 2015 on charges including appealing for the violent overthrow of the government, in connection with his criticism of authorities on social media. In January 2017, he was sentenced to 10 years in prison. A local coalition of nongovernmental organizations (NGOs) estimated that there were 158 political prisoners in the country as of August 2017.



The main opposition parties chose to boycott the 2015 parliamentary elections rather than take part in a flawed vote.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

The authoritarian one-party system in Azerbaijan largely excludes the public from any genuine and autonomous political participation. President Aliyev appointed his wife, Mehriban Aliyeva, as vice president in February 2017.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The dominance of the ruling party limits political parties' freedom to represent a diversity of interests and views. There are no meaningful mechanisms to promote representation of minorities.

C. FUNCTIONING OF GOVERNMENT:



0 / 12 (–1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The head of government and national legislative representatives are not elected in a free or fair manner. Aliyev and the YAP determine and implement the policies of the government with little opposition.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (–1)

Corruption is pervasive. In the absence of a free press and independent judiciary, officials are rarely held accountable for corrupt behavior.

In September 2017, a network of international media outlets exposed a \$2.9 billion slush fund, held within United Kingdom–registered shell companies and linked to the Azerbaijani ruling elite, including the Aliyev family. Leaked banking records from 2012–14 revealed payments to, among others, former members of the Parliamentary Assembly of the Council of Europe (PACE), London-based lobbyists, and senior officials in the Azerbaijani government. Britain’s *Guardian* newspaper, one of the outlets that exposed the scheme, credited lobbying operations associated with the fund with a move by PACE to vote down a 2013 report critical of Azerbaijan’s rights record.

Score Change: The score declined from 1 to 0 due to revelation of a massive money laundering scheme linked to the family of President Ilham Aliyev and other elites, and a lack of mechanisms to investigate it.



C3. Does the government operate with openness and transparency? 0 / 4

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

In March 2017, Azerbaijan withdrew from the Extractive Industries Transparency Initiative (EITI), an international platform that promotes good governance and transparency in resource-rich countries, having been suspended due to ongoing noncompliance with EITI human rights standards. In June, the Open Government Partnership (OGP), an international initiative under which governments commit to increasing transparency and accountability to their citizens, extended Azerbaijan's inactive status for another year due to concerns about threats to civil society.

CIVIL LIBERTIES: 9 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? o / 4

Constitutional guarantees for press freedom are routinely and systematically violated, as the government works to maintain a tight grip on the information landscape.

Defamation remains a criminal offense. Journalists—and their relatives—faced harassment, threats, violence, and intimidation by authorities. Many have been detained or imprisoned on fabricated charges, while others face travel bans. According to the Committee to Protect Journalists (CPJ), there were 10 journalists imprisoned in Azerbaijan as of December 2017.

State censorship of online media intensified during 2017. Legal amendments passed in March extended government control over online media, allowing blocking of websites without a court order if deemed to contain content posing a danger to the state or society. Five independent news sites, including the local service of Radio Free Europe/Radio Liberty (RFE/RL) were subsequently blocked, and, a Baku Court upheld authorities' decision to do so in May.

The few critical outlets that can still disseminate information in the country face constant pressure and risk. In August 2017, a criminal case was opened against Turan, the last independent news agency operating inside the country, on charges of tax evasion; its director was arrested shortly afterward on related charges, and detained for several weeks before claims against him were dropped. In September, the government-controlled Azad Azerbaijan TV and Radio Company (ATV) replaced its top management after a host criticized the Baku mayor on a morning television program.

Attacks and intimidation of journalists and their families continued in 2017. In April, blogger Mehman Galandarov, who was known for his criticism of the government, was found dead in his prison cell, allegedly by suicide; he had been arrested in February on trumped-up charges of drug trafficking. There was no independent autopsy or public investigation of his death, and local activists who attempted to speak to his family said it appeared they had been pressured into remaining silent. In February, 12 family members of Ordukhon Teymurkhan, a Netherlands-based dissident blogger, were detained and questioned by police. Two received month-long sentences for disobeying police. The brother-in-law of Turkel Alisoy, another Azerbaijani journalist based in the Netherlands, was arrested in November on charges of drug trafficking local activists said were fabricated. And in May, investigative journalist Afgan Mukhtarli was abducted from Tbilisi, Georgia, and transported to Azerbaijan, where he was charged with smuggling.



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

The government restricts the practice of minority and “nontraditional” religions and denominations, largely through burdensome registration requirements and interference with the importation and distribution of printed religious materials. A number of mosques have been closed in recent years, ostensibly for registration or safety violations. In 2017, several booksellers received fines of about \$1,200 for selling unsanctioned religious literature. Jehovah’s Witnesses face continued harassment, with several meetings broken up during 2017 and some

members detained. In January, 17 members of the Muslim Unity Movement (MUM), a conservative Shiite group, received prison sentences of up to 20 years for charges including conspiracy to overthrow the government. In September, 14 of them were pardoned.



D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The authorities have long linked academic freedom to political activity. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons.

D4. 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 are suspected of monitoring 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 and eroded the openness of private discussion. In recent years, activists have reported being targeted by spear-phishing campaigns designed to install malware on their computers or steal personal information.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

National law imposes tight restrictions on freedom of assembly, and under 2016 amendments, the right to free assembly is contingent on not violating “public order and morals.” Unsanctioned gatherings can draw a harsh police response and fines for participants. After the Laundromat scandal emerged in September 2017, the main opposition organized two anticorruption protests in Baku. Although both rallies were sanctioned, at least three opposition members were detained prior to the first.



E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Repressive laws on NGOs have been used to pressure both local and foreign organizations, many of which suspended operations when their bank accounts were frozen or their offices raided.

E3. 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 most major industries are dominated by state-owned enterprises.

F. RULE OF LAW: 1 / 16 (–1)

F1. Is there an independent judiciary? 0 / 4

The judiciary is corrupt, inefficient, and subservient to the executive. Although nominally independent, the Bar Association acts on the orders of the Ministry of Justice,

and is complicit in the harassment of human rights lawyers.



F2. Does due process prevail in civil and criminal matters? 1 / 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. Opposition figures, journalists, and activists arrested or sentenced in recent years have reported restricted access to legal counsel, fabrication and withholding of evidence, and physical abuse.

A bill passed in October 2017 restricts court representation by lawyers who are not members of the bar, giving the politicized Bar Association full control over the legal profession and seriously limiting access to representation.

In April, the European Court of Human Rights (ECHR) ruled that the state had failed to conduct an adequate investigation into the 2005 murder of journalist Elmar Huseynov.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Reports of the use of torture to extract confessions continue. Prison conditions are substandard; medical care is generally inadequate, and overcrowding is common. The ECHR ruled in May 2017 that the state had failed to protect a prisoner's right to life and to conduct an effective investigation into his death in 2006.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4 (-1)



Members of ethnic minority groups have complained of discrimination in areas including education, employment, and housing. In September 2017, police imprisoned or fined dozens of people—police said 83 but local activists put the number as high as 200—in a coordinated crackdown on LGBT people. Some were reportedly beaten by police. All were released in early October; and some reportedly fled the country.

Score Change: The score declined from 1 to 0 due to a coordinated crackdown on LGBT people in September, under which dozens of individuals were imprisoned or fined.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. 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. Courts denied appeals by such individuals against their travel bans in 2017.

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

G2. 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 and free choice of residence are affected by government-backed development projects that often entail forced evictions, unlawful expropriations, and demolitions with little or no notice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Traditional societal norms and poor economic conditions restrict women's professional roles. Domestic violence committed against women, men, and children is a problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Domestic violence remains a problem, and Azerbaijan is a source, transit point, and destination for forced labor and sex trafficking. Roma children are particularly susceptible to forced labor, including by being forced to work in restaurants or as roadside vendors, or to engage in forced begging. The government has taken some efforts to combat trafficking, including by prosecuting traffickers and providing services to victims.

Explanatory Note:



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

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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