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Nations in Transit 2016 - Azerbaijan

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Regime classification: Consolidated Authoritarian Regime

Nations in Transit Category and Democracy Scores

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
National Democratic Governance	6.00	6.00	6.25	6.50	6.50	6.75	6.75	6.75	6.75	6.75
Electoral Process	6.50	6.50	6.75	6.75	7.00	7.00	7.00	7.00	7.00	7.00
Civil Society	5.25	5.25	5.50	5.75	5.75	6.00	6.25	6.50	6.75	7.00
Independent Media	6.25	6.25	6.75	6.75	6.75	6.75	6.75	6.75	6.75	7.00
Local Democratic Governance	6.00	6.00	6.25	6.25	6.50	6.50	6.50	6.50	6.50	6.50
Judicial Framework and Independence	5.75	5.75	5.75	6.25	6.25	6.50	6.50	6.50	6.75	7.00
Corruption	6.25	6.25	6.50	6.50	6.50	6.50	6.75	6.75	6.75	6.75
Democracy Score	6.00	6.00	6.25	6.39	6.46	6.57	6.64	6.68	6.75	6.86

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).

Executive Summary:

Azerbaijan remains a deeply authoritarian state, and 2015 saw further aggressive steps from the executive to eliminate all criticism and dissent against a backdrop of mounting economic crisis.

President Ilham Aliyev and his Yeni [New] Azerbaijan Party (YAP) deepened their monopoly on political life in 2015. Rejecting an unfree and unfair electoral system, all of the major opposition parties boycotted the November 1 parliamentary elections. YAP won 71 seats out of 125, with the remainder of seats going to the pocket opposition, which includes 41 "independents" who steadfastly toe the YAP party line. International observers had a limited presence at the elections, as the Organization for Security and Cooperation in Europe (OSCE) declined to conduct its usual monitoring after Azerbaijan refused to admit the necessary number of observers. Local observer groups reported ballot stuffing and inflated reports of voter turnout, among other issues.

Azerbaijan's civil society was decimated by the 2014 wave of purges and arrests and faced further persecution in 2015. Anar Mammadli, the head of Azerbaijan's premier election monitoring organization, remained behind bars through 2015 on politically motivated charges. Opposition leader Ilgar Mammadov also remained in jail for all of 2015, where he was subjected to torture and said he fears for his life. Several of the activists put into pretrial detention in 2014 had their cases finally considered by the courts and received lengthy prison sentences. In late 2015, Leyla and Arif Yunus were unexpectedly released from prison to house arrest on humanitarian grounds, but only after numerous hospitalizations and international outcry. Their convictions for fraud and tax evasion remained in effect. The country's civil society landscape is now dominated by government-organized nongovernmental organizations, or GONGOs.

The already bleak media situation also deteriorated further in 2015. As of December, Azerbaijan had eight journalists in jail. The imprisonment of renowned investigative journalist Khadija Ismayilova did not prevent her from smuggling out messages of hope and resistance from her jail cell or stop her colleagues outside the country from continuing her investigations into high-level corruption in Azerbaijan. The year also was marred by the murder of photojournalist Rasim Aliyev, who was beaten to death in circumstances that suggested a political motive. Self-censorship and a lack of funding have become the norm among Azerbaijani media. Critical outlets like Meydan TV are forced to broadcast from outside the country and work with anonymous reporters inside Azerbaijan. The extended families of such journalists, as well as civil society activists, suffered intense harassment and persecution within the country.

Azerbaijan appears to have made some progress in reducing petty corruption through the increasingly popular ASAN service centers, which are placed around the country to handle routine bureaucratic functions, such as getting an ID card or registering property. Grand corruption continues to be an overwhelming issue, however. Several key Azerbaijani officials were dismissed this year on corruption charges, including former minister of national security Eldar Mahmudov and former minister of communications Ali Abbasov. At the same time, the financial empire of President Ilham Aliyev remains wholly intact and seemingly untouchable. Several new reports published in 2015 unveiled yet more ways Aliyev and his family members expropriate and squander Azerbaijan's national wealth for their own benefit.

The plummet of global oil prices throughout the year eventually left the dollar peg of Azerbaijan's manat unsustainable, even after a devaluation in February. After spending nearly \$9 billion defending the currency during the year, in late December the government floated the manat, the value of which immediately dropped by more than 30 percent. At the end of the year, rising consumer prices and economic uncertainty pointed to a tense 2016.

Score Changes:

- **Civil Society rating declined from 6.75 to 7.00** due to the government's further steps to increase legal restrictions on NGOs, and the conviction and imprisonment of numerous civil society activists, leaving no space for civil society to operate independently.
- **Independent Media rating declined from 6.75 to 7.00** due to the murder of photojournalist Rasim Aliyev, the conviction of Khadija Ismayilova and numerous other journalists, and harassment and wrongful imprisonment of relatives of journalists based outside the country.
- **Judicial Framework and Independence rating declined from 6.75 to 7.00** due to the extensive use of the judiciary for persecution of political and civic activists.

As a result, Azerbaijan's Democracy Score declined from 6.75 to 6.86.

Outlook for 2016: Persistently low oil prices will continue to wield economic pressure in 2016, and protests over basic economic issues could spread across the country. A national budget that relied on oil revenues will be severely strained and cuts will be required, either from social spending or from the government's treasured international prestige projects, like the 2015 European Games or Formula 1 racing. Azerbaijan's traditional political opposition will remain weak and divided in 2016, but the country's younger generation has shown great potential for leadership, activism, and expression, particularly through social media. In response, the Aliyev regime will likely continue to crush even the slightest blushes of dissent among youth, driving them further underground or out of the country, if not into jail.

In foreign policy, throughout 2015 the government increasingly and bitterly criticized human rights and democracy as European and American "double standards" designed to subvert the state. With Russia asserting itself more aggressively across the neighborhood, Azerbaijan looks increasingly susceptible to Russian entreaties for collaboration. The Russian-Turkish conflict over Syria in late 2015 has added another layer of complexity to the government's geopolitical dilemmas.

National Democratic Governance:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

6.00 6.00 6.25 6.50 6.50 6.75 6.75 6.75 6.75 6.75

- In 2015, political power in Azerbaijan remained concentrated in the government's executive branch. Incumbent president Ilham Aliyev, who succeeded his father Heydar in 2003, is now serving his third five-year term after a 2009 constitutional referendum eliminated presidential term limits.^[1] A frequent refrain told to families of wrongfully imprisoned activists is that they were arrested "on orders from higher up."
- Key government officials continued the trend begun in 2014 of stridently rejecting civil society and human rights as tools of Western influence meant to undermine the state. In August, Head of the Presidential Administration Ramiz Mehdiyev published a book-length anti-Western manifesto arguing that Europe's criticism of Azerbaijan's human rights practices and democratization process shows that it was applying "double standards."^[2] The book elaborated on the themes of Mehdiyev's December 2014 essay in which he announced that Western-funded nongovernmental organizations (NGOs) were playing the role of a "fifth column" within Azerbaijan.^[3] Another Mehdiyev essay in October 2015 targeted Europe specifically for its "double standards" in criticizing Azerbaijan.^[4] In addition to Mehdiyev, other key Azerbaijani officials, including Deputy Head of the Presidential Administration Novruz Mammadov^[5] and the presidential aide for public and political affairs, Ali Hasanov,^[6] adopted similar positions.
- Sanctions against Russia and plunging commodity prices caused an economic crisis across Eurasia that also rattled Azerbaijani elites. After the central bank devalued the manat by 25 percent in February, Jahangir Hajiyev, chairman of the state-owned International Bank, resigned citing health reasons.^[7]
- In October, Jahangir Hajiyev's brother-in-law, National Security Minister Eldar Mahmudov, was unexpectedly dismissed from his position.^[8] There were uncorroborated reports following his dismissal that Mahmudov had been put in pretrial detention or house arrest, but no public statements were released.^[9] Seven other Ministry of National Security (MNS) officials were detained on charges of abuse of official power, exceeding official power, and violating the legislation governing searches.^[10] In late October, at least 14 other MNS

employees were sacked.^[11] Then, reports surfaced in December that approximately 250 MNS employees were being laid off.^[12]

- There are various theories about Mahmudov's arrest, including that he was too friendly with the West, harassed businessmen in Azerbaijan, and that he illegally recorded conversations among Azerbaijan's first family, but none has received official confirmation. Some have linked Mahmudov's arrest to the November dismissal of Minister of Communications and High Technologies Ali Abbasov, though no formal statement to this effect has been made.^[13] Following the scandals, Azerbaijan's Ministry of National Security was disbanded in December and replaced by two separate entities: the Foreign Intelligence Service and State Security Service.^[14]
- The Ministry of Foreign Affairs (MFA) was the site of multiple scandals in 2015. In May, a highly flammable façade material used to beautify buildings in Baku in advance of the June 2015 European Games burst into flames, killing 15 people, including 4 children.^[15] When diplomat Arif Mammadov posted on his Facebook page that "Officials earn millions on our people's sufferings, and if they are not afraid of our people's anger, then they must be scared of God's anger!"^[16] he was promptly sacked, and authorities sought to arrest him for corruption.^[17] Five more diplomats were fired for "liking" Mammadov's status on Facebook, including a ministry official, Hikmat Hajiyevev, who was able to regain his job after apologizing and clarifying that his "like" meant only that he had read the post.^[18]
- In September, an associate of Arif Mammadov, diplomat Nihad Jafarov, was also dismissed from the Foreign Service.^[19] Jafarov was reportedly summoned to the MFA after Mammadov was fired, but instead of returning he sought asylum in the Netherlands. A diplomat based in Australia, Anar Hasanov, accused Azerbaijan's ambassador to Australia and an embassy accountant of misappropriating state funds by creating a fake position that drew a salary and by trafficking in alcohol and cigarettes using their diplomatic privileges.^[20] Hasanov admitted that the MFA had recalled him but denied that he was seeking asylum in Australia even as he refused to return to Azerbaijan.
- At year's end, the government was forced again to address the currency crisis caused by falling oil prices. In late December, the government abandoned the manat's dollar peg entirely, causing the currency to rapidly lose value and the price of consumer goods to increase between 30 and 50 percent.^[21] The decision to float the manat came only after the government had spent billions of dollars defending its peg during the year. At year's end, it was unclear how the government would adapt its fiscal policies to respond to sustained lower revenues from oil prices.

Electoral Process:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

6.50 6.50 6.75 6.75 7.00 7.00 7.00 7.00 7.00 7.00

- According to the Organization for Security and Cooperation in Europe (OSCE), the Republic of Azerbaijan has not conducted free and fair elections consistent with international standards since the organization began monitoring elections in Azerbaijan in 1995.^[22] The Venice Commission of the Council of Europe has repeatedly recommended that Azerbaijan fix its flawed electoral legislation, but little progress has been made.

- The OSCE declined to monitor the November 1, 2015, parliamentary elections due to Azerbaijan's refusal to allow the required number of monitors into the country.^[23] An OSCE needs assessment mission called for 30 long-term observers and 350 short-term observers, but Azerbaijan's Permanent Mission to the OSCE said the country would accept only 6 long-term and up to 125 short-term OSCE observers. The leader of Azerbaijan's premier election monitoring NGO, Anar Mammadli, remained behind bars in 2015. He was arrested and sentenced to five and a half years in prison for tax evasion following a critical report on the December 2013 presidential election.
- The remaining independent and opposition election monitors found that the vote was marred by a nondemocratic preelection environment, voter passivity, and voting fraud. According to the Institute for Democratic Initiatives, police were observed at polling stations, voting protocols were drawn up outside the vote-tallying room, ballot-box stuffing occurred, and real voter turnout was 25.5 percent.^[24] However, several other reports, including that of the Parliamentary Assembly of the Council of Europe (PACE),^[25] identified few problems. In an unusual circumstance, the mission members did not unanimously approve the PACE report, and three monitors released a strongly worded dissenting statement.^[26] Civil society activists have long accused Azerbaijan of using "caviar diplomacy" to buy influence with PACE members.^[27] For its part, the Central Election Commission reported voter turnout at 55.7 percent, double that reported by the Institute for Democratic Initiatives, and said it received "150 requests of inquiry character, [and] no complaints."^[28]
- According to the final election results, which were approved by Azerbaijan's Constitutional Court at the end of November, 124 deputies were elected, including 71 members of the ruling Yeni [New] Azerbaijan Party (YAP), 12 lawmakers from 11 other small parties, and 41 "independent" candidates whose policy positions are identical to those of the ruling party.^[29]
- Prior to the elections, the government continued its repression of political opposition candidates in 2015. Harassment of National Council of Democratic Forces head Jamil Hasanli's relatives was particularly striking. In February, his daughter, Gunel Hasanli, was sentenced to one and a half year's imprisonment for allegedly hitting an elderly woman with her vehicle.^[30] Gunel Hasanli was convicted of a crime even though the supposed victim was not injured, and Hasanli herself took her to the hospital. At the end of July, Jamil Hasanli 12-year-old granddaughter was called to the prosecutor's office for questioning, although the summons appears to have been rescinded when the office realized her age.^[31] Popular Front Party advisor Mamed Ibrahim was arrested on charges of hooliganism at the end of September and remained in prison through the end of the year.^[32]
- The repression continued after the election. In November, seven relatives of well-known opposition politician Panah Huseyn were arrested and convicted in December on charges stemming from an alleged domestic dispute. One was sentenced to three years' imprisonment, while the others received two years of correctional labor.^[33] Also in December, well-known political opposition activist Fuad Gahramanli was arrested and sentenced to three months' imprisonment on charges of inciting national and religious hatred and public calls against the state.^[34] At the end of the year, Popular Front Party activist Fuad Ahmadli was arrested and sentenced to 10 days in jail for failing to obey police.^[35] He also served 25 days in administrative detention in April 2015.
- In 2014, the European Court of Human Rights (ECtHR) had identified 11 violations of the right to free and fair elections.^[36] It found violations in two new cases in 2015. In July, the

court ruled that Azerbaijan's refusal since 2006 to grant opposition political leader Ali Karimli a passport violated Karimli's right to freedom of movement and ordered Azerbaijan to pay him €8,600 in compensation.^[37] The ECtHR also found a violation in regard to the government's refusal to register Annagi Hajibeyli as a candidate for the 2010 parliamentary elections.^[38] Hajibeyli claimed he was only one of several who filed formal complaints about violations in the 2010 elections.^[39]

Civil Society:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

5.25 5.25 5.50 5.75 5.75 6.00 6.25 6.50 6.75 7.00

- In 2015, the unprecedented crackdown on civil society begun in summer 2014 continued with new arrests, prosecutions, and harassment of Azerbaijani activists and independent journalists. The most important figures arrested in 2014 – renowned human rights lawyer Intigam Aliyev, Human Rights Club director Rasul Jafarov, and Election Monitoring and Democracy Studies Center head Anar Mammadli – all remained behind bars.^[40] Institute for Peace and Democracy director Leyla Yunus and her husband Arif were released from prison to house arrest toward the end of the year. Both are in failing health and are forbidden from leaving Azerbaijan as their convictions still stand.^[41] The country's once-nascent but outspoken NGO sector is now dominated by government-organized NGOs (GONGOs). Activists who escaped the government dragnet have mostly fled the country or have gone underground. One positive development was the release in March 2015 of election monitor Anar Mammadli's colleague Bashir Suleymanli after 10 months in prison, although Mammadli remains in prison.^[42]
- At the end of 2014, the Council of Europe's Venice Commission adopted an opinion on Azerbaijan's NGO law as amended in 2013 and 2014.^[43] The opinion stated that the amendments increased obstacles to establishing, registering, and operating NGOs. Throughout 2015, the government took no steps to resolve these shortcomings.
- Registration continues to be a problem for independent NGOs. The Ministry of Justice refused to register a newly formed public union created by the highly regarded economic expert Gubad Ibadoglu.^[44] Ibadoglu's existing Center for Economic Research was the target of a search by a branch of the prosecutor's office in May 2015.^[45] This mirrors similar problems encountered by other activists, including Leyla Yunus, Intigam Aliyev, and Rasul Jafarov, all of whom submitted numerous registration applications that were rejected.
- Azerbaijan's cooperation with several international organizations has suffered as the government has grown more closed to civil society and accusatory toward the international community. In May, the Open Government Partnership announced it would review Azerbaijan's participation due to complaints from numerous civil society organizations.^[46] As a result, the country is at risk of being demoted to an inactive member. In April, the Extractive Industries Transparency Initiative (EITI) downgraded Azerbaijan from a "compliant" to a "candidate" country because "further work is needed to ensure that civil society in Azerbaijan can participate in the EITI in a meaningful way."^[47]
- In October, the Council of Europe (CoE) announced its departure from a joint human rights working group created a year earlier involving the CoE, the government of Azerbaijan, and 18 human rights defenders.^[48] In making the announcement, CoE Secretary General Thorbjørn Jagland noted that "an increasing number of human rights defenders has recently

been imprisoned." Political prisoners including Ilgar Mammadov, Tofiq Yagublu, Leyla Yunus, Intigam Aliyev, and members of the NIDA Movement had already signed a statement of no confidence in the members of the NGOs in the group due to a lack of transparency and progovernment composition.^[49] In response to the CoE's announcement, the joint working group's Azerbaijani representatives claimed the decision was made because of "anti-Azerbaijani forces" conducting "dirty tricks."^[50]

- The government has increased restrictions on the work of international organizations. In July, the OSCE closed its Baku project office^[51] after Azerbaijan's Ministry of Foreign Affairs sent a letter to the OSCE office in Vienna stating there was no longer a need for the activities of the OSCE project coordinator in Baku.^[52] The status of the office had been downgraded to "project coordinator" in January 2014.
- In March, Human Rights Watch senior researcher Giorgi Gogia was detained for 31 hours at the Baku airport before being deported.^[53] Amnesty International researchers were refused entrance to the country in the run-up to the European Games in June,^[54] and again in October.^[55] Researcher Emma Hughes of the British NGO Platform was stopped at the border and also denied entry around the time of the European Games.^[56]
- A deadly raid in late November highlighted the government's tight control over religious activism. Four people died and two police officers were killed when police sealed off the town of Nardaran in an operation to arrest a young Shiite cleric, Taleh Bagirzade. The cleric and several others stand accused of planning an armed coup with the aid of a foreign power, presumably Iran.^[57] The U.S. Commission on International Religious Freedom (USCIRF) placed Azerbaijan on its Tier 2 "watch list" for the third consecutive year in 2015.^[58]
- The problems of Azerbaijan's LGBT community became more visible in 2015, thanks largely to the work of Nefes, an organization led by exiled activist Javid Nabiye. For the first time, a European Parliament resolution adopted in September highlighted the dangers Azerbaijani LGBT activists face. The resolution noted the prevalence of "political hate speech against LGBTI people coming from the highest levels" in Azerbaijan and obstruction and intimidation of human rights defenders working for the rights of LGBTI people.^[59]

Independent Media:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

6.25 6.25 6.75 6.75 6.75 6.75 6.75 6.75 6.75 7.00

- The situation of Azerbaijan's beleaguered independent media deteriorated further in 2015 as the government pursued its crackdown on sources of independent information. As of December 2015, Azerbaijan was holding eight journalists in jail: Nijat Aliyev, Araz Guliyev, Parviz Hashimli, Samir Haziye, Khadija Ismayilova, Hilal Mammadov, Rauf Mirgedirov, and Tofiq Yagublu.^[60]
- Of particular prominence was the case of Rauf Mirgedirov, who was arrested in April 2014 after being deported from Turkey. He was charged with espionage based on the same people-to-people diplomatic efforts related to the Nagorno-Karabakh conflict that imprisoned activists Leyla and Arif Yunus had participated in. On December 28, he was found guilty of "high treason, namely of spying for Armenia," and sentenced to six years' imprisonment.^[61]

- In May, the U.S.-funded RFE/RL news service announced the official closure of its Baku bureau due to government pressure on its staff. The office had been de facto closed since the government raided it in December 2014 and arrested bureau chief Khadija Ismayilova. On September 1, Ismayilova was convicted of embezzlement and tax evasion and sentenced to seven and a half years' imprisonment.^[62] Other RFE/RL staff members encountered legal problems, such as correspondent Babek Bakir, who was prevented from leaving the country in February due to a pending but still unexplained criminal investigation related to RFE/RL.^[63]
- Germany-based Meydan TV, an initiative of exiled activist Emin Milli, was the target of unrelenting government pressure in 2015. Although Milli and his family live abroad, their Azerbaijan-based relatives and associates faced ceaseless arrests, detentions, interrogations, threats, and travel bans. In June, after the European Games, Milli said he was threatened by Minister of Sports Azad Rehimov.^[64] In July, several days after 23 members of his family formally disavowed him, Milli's brother-in-law was arrested on narcotics trafficking charges.^[65] Fabricated drug charges have frequently been used to prosecute dissidents and political opponents of the government. As of October, the internet-based TV station had reported that 15 of its employees and contributors were facing various forms of threats and repression, including correspondent Shirin Abbasov, who was arrested in mid-September^[66] and served 30 days in prison on a charge of resisting police.^[67]
- The now-defunct Institute for Reporters' Freedom and Safety (IRFS) was also subject to continued targeting in 2015. IRFS former director Emin Huseynov spent the first half of 2015 in refuge at the Swiss Embassy in Baku before being secreted out of the country by a high-level Swiss delegation in June.^[68] Former IRFS employees Gunay Ismayilova and Tatyana Kruchina were physically assaulted in January and February 2015, respectively, while Huseynov's brother remained under a travel ban all year. On August 8, the anniversary of a 2014 raid on the IRFS office, IRFS photojournalist and acting chairman Rasim Aliyev was beaten and died at the hospital the next day. A soccer player was arrested for the assault, which was publicly linked to Aliyev's criticism of his soccer team, but the timing of the attack and lack of adequate medical attention led to suspicions about a political motive.^[69]
- Throughout the year, several popular online platforms and tools for citizen journalists and regular citizens, including WhatsApp, Skype, and Facebook, were periodically inoperable for days or weeks at a time.^[70] Although the government claimed it was not behind the outages, it also declared its intent to require such services to obtain licenses from the Azerbaijan government.^[71] Many fear this will lead to more intrusive government surveillance and restricted access, further choking off the internet as a platform for free speech and information exchange.^[72]
- Presidential aide Ali Hasanov indicated that new foreign media accreditation rules adopted in March 2015 will be used to restrict the work of media outlets, such as Meydan TV and Voice of America, that operate through Azerbaijan-based correspondents. Turan News Agency reported that several leading news agencies were not accredited to report on the November parliamentary elections.^[73] BBC Monitoring, which has been based in Azerbaijan for more than 15 years, announced in September that it was moving its offices to neighboring Georgia.^[74]
- In October, the Ministry of Foreign Affairs announced that visas for foreign citizens including press would require approval by the Ministry of National Security, instead of just

the MFA as before.^[75] Depending on how this requirement is implemented, it could become a new impediment for journalists, as well as activists and tourists. Like international human rights activists, some foreign journalists have already encountered visa issues, such as the background checks that prevented *The Guardian* correspondent Owen Gibson from entering the country in June on the eve of the European Games in Baku.^[76]

- Mediaforum.az, a popular news website and initiative of the Baku affiliate of Internews, shut down on January 1, 2015. The website posted a statement indicating that the closure was due to Azerbaijan's restrictive NGO and grant laws.^[77]

Local Democratic Governance:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

6.00 6.00 6.25 6.25 6.50 6.50 6.50 6.50 6.50 6.50

- Political power in Azerbaijan is concentrated at the executive level, with regional leaders appointed directly by the president. Azerbaijan consists of nine regions and the autonomous republic of Nakhichevan; these in turn are divided into 78 districts and cities.
- Municipal units, which consist of elected members, govern the districts and cities at the local level by municipalities. Azerbaijan held its most recent municipal elections in December 2014. Municipal elections take place every two years, with the next vote scheduled for 2016. The government allocated regions and cities over \$1.6 billion for expenses in 2015, but this figure was reduced by 6.8 percent in 2015, perhaps due to the overall decline in state revenue from the drop in oil prices.^[78]
- At the beginning of 2014, Azerbaijan adopted a law on public participation that included the formation of local councils, which will play a purely advisory role to the municipalities and regional executive powers.^[79] In 2015, there was little information available about the formation of these councils and their work.
- Despite the existence of formal governing bodies, Azerbaijan has an unofficial system whereby an official or oligarch whose business interests dominate the region unofficially controls each region. The most overt example is the region of Gabala, which is controlled by proxies of the Minister of Emergency Situations Kamaladdin Heydarov. Gabala-based ventures associated with Heydarov's proxies include canned food and juice factories, a piano factory, and a soccer team, among others.^[80]

Judicial Framework and Independence:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

5.75 5.75 5.75 6.25 6.25 6.50 6.50 6.50 6.75 7.00

- In 2015, Azerbaijan's domestic courts issued politically motivated decisions in cases against the most prominent human rights defenders and journalists, including Arif and Leyla Yunus and Khadija Ismayilova. These high-profile cases were the most visible illustration of the judicial system's role as a tool for punishing dissent. As of December 2015, the country had at least 93 political prisoners.^[81] Khalid Bagirov, a highly regarded human rights lawyer, was disbarred by Azerbaijan's Lawyers Collegium on July 10.^[82] Bagirov already has a case pending before the ECtHR regarding a previous disbarment that took place in 2011.^[83] According to Bagirov, his disbarment was intended to thwart his defense of imprisoned

rights activist Leyla Yunus and other political prisoners.^[84] Attorneys continued to face pressure in Azerbaijan in 2015. Outspoken human rights lawyer Alaif Hasanov was disbarred due to statements he made while representing Leyla Yunus.^[85] Revocation of membership in Azerbaijan's Bar Association, also known as the Lawyers Collegium, has long been used to undermine the work of the country's human rights lawyers.^[86]

- The failure of local courts to provide justice continued to result in numerous cases filed with the ECtHR. As of the end of November 2015, Azerbaijan had 1,550 cases pending in the court (2.3 percent of the court's caseload)^[87] and there were 10 judgments against Azerbaijan.^[88] The ECtHR verdict on the case of now-exiled journalist Agil Khalil was particularly noteworthy. In 2008, he was stabbed, beaten, and subjected to a travel ban after he reported on the illegal clearing of land in a public park.^[89] For the first time ever, Azerbaijan made an official admission in the form of a unilateral declaration to the ECtHR that it had violated Khalil's right to life, freedom from ill-treatment, and freedom of expression, and agreed to pay him over \$30,000 in damages.^[90]
- Attorneys continued to face pressure in Azerbaijan in 2015. Outspoken human rights lawyer Alaif Hasanov was disbarred due to statements he made while representing Leyla Yunus.^[91] Revocation of membership in Azerbaijan's Bar Association, also known as the Lawyers Collegium, has long been used to undermine the work of the country's human rights lawyers.^[92]
- Azerbaijan's poor treatment of political prisoners was documented in another ECtHR ruling. Reports surfaced in July^[93] and October 2015^[94] that imprisoned REAL movement political activists and former presidential candidate Ilgar Mammadov was being tortured in prison and suffered various injuries including a broken tooth as the result of maltreatment.^[95] He told his attorney that he fears for his life.^[96] Azerbaijan refuses to release Mammadov despite a 2014 ECtHR Grand Chamber decision^[97] and two interim CoE Committee of Ministers resolutions^[98] in 2015 calling for his release.
- The UN Subcommittee on the Prevention of Torture (SPT) conducted a visit to Azerbaijani places of detention in mid-April 2015. The subcommittee staff reportedly was granted unrestricted access, a welcome change after it suspended a September 2014 visit due to government obstruction.^[99] SPT's report has not been made public, but a press release indicated that stronger safeguards were needed to prevent torture.^[100]
- Azerbaijan was examined by the UN Committee against Torture in November. While the Committee noted some progress, mainly in the area of legislation, it also expressed concern about "numerous and persistent allegations that torture and ill-treatment are routinely used by law enforcement and investigative officials, or with their instigation or consent, often to extract confessions or information to be used in criminal proceedings." According to the Committee, during the period 2010-15, not a single individual was prosecuted for torture or ill-treatment, despite 334 complaints against prison officials investigated by the Prison Service between 2009 and 2013, 984 similar complaints received by the Ministry of Internal Affairs between 2010 and 2013, and 678 similar complaints received by the Office of the Prosecutor General between 2010 and 2013.^[101]
- The local media in Azerbaijan reported numerous instances of police mistreatment of people in custody throughout the year. In February, a man from the Tartar region died while in police custody.^[102] The police claimed he hanged himself, but his relatives told the local press his liver ruptured due to torture. In August, large-scale protests broke out in

Mingechevir after a young man died while in police custody.^[103] Although government officials claim he jumped out a third-story window to his death, his family and scores of protesters believed his death was due to torture. A police investigator is facing criminal charges for incitement to suicide and abuse of power in connection with the death.^[104]

Corruption:

2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

6.25 6.25 6.50 6.50 6.50 6.50 6.75 6.75 6.75 6.75

- Azerbaijan is among the most corrupt countries in the world.^[105] The Council of Europe Group of States Against Corruption (GRECO) report on Azerbaijan, released in April 2015, noted, "Despite some serious efforts undertaken since 2011 to tackle low-level public sector corruption there is little evidence of it being pursued with determination among the political elite and the upper echelons of the public service."^[106] According to Transparency International's 2015 Corruption Perceptions Index, Azerbaijan ranked 119 out of 168 countries.
- In 2015, the government continued efforts to stem petty corruption, but a de facto system of expropriation of state resources for the ruling elite persisted. Although President Ilham Aliyev makes an official salary of approximately \$230,000 per year, he and his family own some of the most opulent buildings in Azerbaijan and abroad.^[107] A report by Khadija Ismayilova prior to her imprisonment (see "Independent Media") unveiled 10 luxury hotels in Azerbaijan linked to the Aliyev family.^[108] One expert estimated the Aliyev family's hotel holdings in Azerbaijan were worth approximately \$10 billion. Ismayilova's colleagues continued her reporting on the family's extraordinary wealth after her jailing, documenting a mansion worth an estimated \$37 million outside of Moscow,^[109] and the family's use of two super-yachts belonging to the State Oil Company of Azerbaijan (SOCAR) costing approximately \$12 million per year to operate.^[110]
- Azerbaijan hosted the inaugural European Olympics in 2015 at a reported cost of \$10 billion.^[111] Much of the money was spent on grandiose construction projects, creating ample opportunities for money laundering and misappropriation. Azerbaijan's construction sphere is known to be dominated by proxies of the ruling elite, including the Aliyev family. The Aliyevs were previously tied to construction of the \$134 million Crystal Hall for the 2012 Eurovision contest in Baku.^[112]
- In October, Azerbaijan adopted a law suspending inspections on businesses for two years except for tax audits. The motivation for the legislation is unclear, but speculation has centered on the arrests of the Minister of National Security and other ministry officials (see "National Democratic Governance"), with observers hypothesizing that the officials were arrested because they used their positions to extort money from businessmen and fellow civil servants.^[113] Under the new law, the Ministry of Internal Affairs announced the creation of a hotline to report both illegal interference in business activity and illegal business ventures by government officials that represent an abuse of their positions or power.^[114]
- In July, following the resignation of the chairman of the state-owned International Bank (see "National Democratic Governance"), the government announced it intended to privatize the bank after removing distressed assets from its balance sheet.^[115] The bank is the largest in Azerbaijan and reportedly one of the few the Aliyev family does not own at least in part.

According to the Organized Crime and Corruption Reporting Project (OCCRP), members of the Aliyev family and their close advisors are significant shareholders in at least eight major Azerbaijani banks and control assets in those institutions worth more than \$3 billion.^[116]

- At the level of petty corruption, "ASAN Khidmet," a government-operated network of mobile and permanent service points intended "to ensure the realization of the services to be rendered by the state entities in a uniformed and coordinated manner,"^[117] remained popular in 2015 and expanded its mobile services.^[118] The initiative has reportedly helped reduce low-level corruption that was previously occurring during routine transactions, such as getting an ID card and registering property.^[119] In July, a government official stated that to date 5.9 million citizens have benefitted from the services of ASAN.^[120]
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