

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	360
Land:	Aserbajdsjan
Kilde:	Freedom House
Titel:	Nations in Transit 2024 – Azerbaijan
Udgivet:	11. april 2024
Optaget på baggrundsmaterialet:	18. juni 2024

Azerbaijan

CONSOLIDATED AUTHORITARIAN REGIME

1
/100

Democracy Percentage	1.19 /100
Democracy Score	1.07 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

1 /100**Consolidated Authoritarian Regime**

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic. See the methodology.



Authors

- Anonymous

Score changes in 2024

- No changes in 2024.

Executive Summary

Authoritarianism persisted in Azerbaijan in 2023. The presidential administration wielded significant power and showed little interest in genuine democratic change. Both the national legislature and local municipalities operated under the influence of the executive branch and therefore were unable challenge presidential administration. The dominance of the executive branch over both the legislative and judicial branches eroded effective checks and balances. Authorities also tightly controlled the media's access to governmental information. The Milli Majlis, Azerbaijan's unicameral parliament, often supported President Aliyev's decisions and failed to hold the executive branch accountable. An anticorruption initiative launched in 2019 lost momentum in 2023. After a number of prominent officials were charged with corruption in 2022, only low-ranking officials faced corruption charges in 2023. ¹

Nationalist sentiments, fueled by Azerbaijan's triumph over Armenia in 2020's 44-Day War, persisted in 2023, elevating President Aliyev's political standing. His approval ratings surged following the swift military operation that successfully reclaimed the breakaway Nagorno-Karabakh region in late September. ² Almost all Azerbaijanis, including civil society, opposition parties, and the media, supported the military operation. The trauma of the Nagorno-Karabakh War fought in the early 1990s, which subjected Azerbaijanis to extensive destruction, massacres, ethnic purges, and the displacement of over 600,000 ³ Azerbaijani citizens, drove support for 2023's military operations. ⁴

The government maintained its tight control of domestic politics and continued to suppress the opposition. Opposition figures faced detentions, torture, and false charges throughout the year. A new law on political parties that the parliament passed in January gave the government the power to dissolve any political party that fails to register at least 5,000 members. ⁵ The law threatened the continued existence of major opposition parties like the Republican Alternative (REAL) Party, Azerbaijan Popular Front Party (AXCP), and Musavat, which were all

initially denied registration by the Ministry of Justice over missing information or clerical errors in their member lists. Although the ministry eventually accepted these parties' revised member lists, the registration process underscored the government's tight control over the political process. **6**

Throughout the year, civil society continued to face intimidation and pressure from law enforcement. Some activists faced arrest, mistreatment, and imprisonment based on false accusations. Although the government dropped reportedly bogus charges against some NGOs, many human rights advocates believe these actions do not signal a shift in the government's hostile, repressive approach to civil society. Environmental protests erupted against plans to construct an artificial lake to hold wastewater that contains cyanide from a goldmine in Soyudlu village. **7** The police broke up the demonstrations and arrested several villagers, which sparked widespread outrage. **8** Marginalized groups, such as the LGBT+ community, continued to face discrimination. Some LGBT+ activists said they faced physical and emotional abuse while in police custody. **9**

The media landscape remained restrictive and the government did not respect press freedom. Journalists encountered intimidation, threats, and detentions, particularly when reporting on the environmental demonstrations in Soyudlu. **10** Independent journalists continued to raise concerns about the 2021 Media Law and many urged for its repeal. Critics believe the law threatens freedom of expression and the existence of independent media outlets, and that it could be used as a smokescreen to curb dissent and target journalists who criticize the government. Journalists and activists who opposed the war in Karabakh also faced threats from the State Security Service (DTX) this year. **11** At least five people were detained due to their stance against the war. **12** In November, the government began a crackdown on independent media that led to the detentions of at least nine journalists from Abzas Media and Kanal 13 on bogus charges. **13**

The judiciary remained under the executive's influence and often made biased rulings against the government's critics. Judges frequently collaborated with prosecutors, law enforcement, and security agencies to stifle dissent. Human rights defenders reported facing a threat of being removed from the Bar Association. **14** Political prisoners endured severe health problems and authorities restricted their access to medical care. **15** Released political prisoners

struggle to resume their normal lives as some are not able to return back to their employment because of prison time in their background. **16**

Local government continued to face pressing challenges that stymied its democratic progression. Local municipalities were marred by inefficiencies including bureaucratic delays, limited resources, and outdated operational models. City/town executive chiefs who are directly appointment by Azerbaijani President maintain significant authority and intervene local municipal governance structures, leading to the centralization of power. Moreover, corruption pervades local governance. Several local officials, especially executive heads, have been accused of corruption, which has eroded public trust and raised questions about the integrity and transparency of local government. While some low-level officials have been charged with corruption, extensive reforms are needed to make local government more effective. **17**

Tensions persisted around Nagorno-Karabakh in 2023. Azerbaijani protesters, with government support, continued their demonstrations on the Lachin Corridor, the only road connecting Nagorno-Karabakh with the outside world, until late April.

18 The protests disrupted the transportation of food, medicine, and other essentials to Nagorno-Karabakh. **19** In February, the International Court of Justice directed Azerbaijan to implement all available measures to guarantee the uninterrupted transit of people, vehicles, and goods through the Lachin Corridor in both directions. **20** In April, the Azerbaijani Border Service established a checkpoint at the entrance to the Lachin road on the border with Armenia. Baku reported that the checkpoint was established to halt the unauthorized movement of personnel, ammunition, mines, and other military gear from Armenia to its military units within Azerbaijan's borders. **21** In June, Azerbaijani troops attempted to hoist an Azerbaijani flag on the Hakari bridge connecting Armenia and Azerbaijan. **22** However, they were pushed back by Armenian border guards who responded with gunfire. Following the clash, Azerbaijan halted all movement through the Lachin Corridor, including humanitarian aid from the Red Cross, and suggested the Agdam road as an alternative. **23**

The situation escalated rapidly in September when two landmines planted by Armenia's security forces killed several Azerbaijani police officers and civilians in the Khojavend district of Azerbaijan. **24** Soon after the mine blasts, Azerbaijani armed forces attacked Nagorno-Karabakh and Azerbaijan gained full control of

the region, citing the internationally recognized borders as a justification. As a result, the breakaway government disbanded and nearly all Armenians left Nagorno-Karabakh. ²⁵ Azerbaijan encouraged Armenians to remain, ensuring them of their rights and asserting that the government would be inclusive of Armenians. In October, the government revealed plans for the creation of municipalities in Armenian-majority areas of Karabakh. ²⁶ Azerbaijan also faces major logistical challenges in the region, including the urgent need to de-mine and rebuild critical infrastructure that was completely destroyed after Armenian paramilitaries took the control of areas surrounding Nagorno-Karabakh. ²⁷ Demining and infrastructure development have been difficult tasks to accomplish since Baku gained control of most of the region after the 44-Day War in 2020. ²⁸

At-A-Glance

Azerbaijan's national governance leans towards consolidated authoritarianism. The government lacks robust checks and balances across the executive, legislative, and judicial branches. Elections are often marred by voting irregularities, intimidation of opposition parties, and an uneven playing field. Activists who voice dissent or organize protests against the government face detention and mistreatment by law enforcement. The media is predominantly state-controlled, while independent journalists often face criminal charges and imprisonment for investigating corruption or other wrongdoing by top officials. Municipal governance is undemocratic, with local municipalities heavily reliant on executive chiefs appointed by the president. The judiciary lacks autonomy, with judges often collaborating with prosecutors, police, and security agencies to target political adversaries and critics. Corruption is pervasive throughout the country and anticorruption efforts primarily focus on individuals no longer aligned with the ruling party.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches.

1.00
/ 7.00

- Azerbaijan's government is authoritarian and often disregards the constitution and other laws, resulting in limited public input in the decision-

making process. The executive branch dominates the judiciary and the legislature. The government lacks transparency and tightly restricts media and public access to information.

- The Milli Majlis, Azerbaijan's single-chamber 125-seat parliament is substantially influenced by the executive. It primarily acts as a rubber stamp legislature that has little to no real power and merely approves decision and policies proposed by the executive branch of the government. ²⁹ Therefore, the parliament is not responsive to public challenges and does not serve as a platform for addressing societal issues or improving living standards. The parliament primarily functions to endorse the president's directives rather than constraining his power.
- In 2023, the presidential administration continued to tightly control the political process. In January, President Aliyev signed a law on political parties that threatened to eliminate the little competition that existed. The legislation requires political parties to have at least 5,000 members to retain their registration and includes a number of draconian administrative requirements that parties struggled to meet. ³⁰ Multiple parties, including the prominent opposition parties the REAL Party, AXCP, and Musavat, were initially denied registration under the law by the Ministry of Justice and faced potential dissolution, before the ministry eventually approved their revised membership lists. ³¹ This registration process raised concerns that the government was misusing its bureaucracy to further limit electoral competition and manipulate the political landscape. International bodies, such as the Council of Europe's Venice Commission and the Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR), criticized the law, advocating for revisions to ensure a more even playing field. The EU also urged Azerbaijan to address the Venice Commission's recommendations on the previous law on political parties, and to consider the Venice Commission's and OSCE/ODIHR's joint opinion on the new law. ³²
- Policymaking usually occurs without sufficient public discussion. For example, the country's land borders have remained closed since the emergence of the COVID-19 pandemic. The closures proved very unpopular, as they disrupted the economy and forced Azerbaijanis to travel to neighboring countries by air, which was often prohibitively expensive. Despite public opposition, in December, the government extended the land

border closures until April 2024. **33** The government's unwillingness to reconsider the border closures, despite their unpopularity, underscores its lack of policy transparency and accountability. **34**

- Questions regarding the return of Armenians to Karabakh remained unanswered after Azerbaijan attacked the region, forced the dissolution of the breakaway government, and arrested many of its leaders, **35** causing most Armenians to flee the area. **36** An October assessment that the UN conducted in Khankendi city found that hospitals, schools, housing, and cultural and religious sites remained undamaged. Reports indicated that the Azerbaijani government was actively working to restore health services and other utilities in Khankendi. The delegation did not find evidence of post-ceasefire violence against civilians from either the locals or key interlocutors. **37** However, in Aghdam, a region reclaimed by Azerbaijan in 2020, the UN delegation found extensive destruction and evidence of active landmines. However, the assessment also found that the government was engaged in reconstruction. **38** The next steps involve normalizing relations between Armenia and Azerbaijan, finalizing a peace treaty, re-establishing communication, and facilitating the return of Armenians to Karabakh. **39**
- In December, the government announced that the presidential elections originally planned for 2025 would occur on February 7, 2024. President Aliyev, riding a wave of support following the takeover of breakaway Nagorno-Karabakh territory, is expected to win easily in a political climate marked by repression of opposition parties and his rising popularity. **40**
- Azerbaijan forged partnerships with some neighbors and had minor confrontations with others throughout 2023. Relations between Azerbaijan and Iran continued to fluctuate. In January, following an armed assault on the Azerbaijani embassy in Iran that killed the chief of security at the embassy and injured two others, Baku closed its Tehran embassy. **41** In February, the Interior Ministry reportedly apprehended roughly 40 individuals across the country on suspicion of being part of an Iranian espionage ring promoting pro-Iran propaganda through religious means. **42**
- Azerbaijan signed several key energy deals in 2023. In September, Azerbaijan and Turkey signed a gas pipeline agreement after Azerbaijan's military success in Nagorno-Karabakh. **43** The countries conducted their first joint military exercises in October. **44** Also in October, Azerbaijan and Israel struck an energy accord that permitted Azerbaijan's national oil company

SOCAR to commence gas exploration in the Mediterranean Sea. **45** Further, in November, Serbia agreed to purchase 400 million cubic meters of natural gas annually from Azerbaijan starting in 2024, as Serbia looks to reduce its heavy reliance on Russian gas. **46** In December, Azerbaijan declared its intent to double its gas exports to Europe by 2027, signifying its role as a significant alternative energy supplier for the continent. **47** In December, Azerbaijan was also chosen to host the 2024 UN Climate Change Conference (COP29). **48**

- On the technological front, in October, a landmark deal was announced between Israel Aerospace Industries (IAI) and Azerbaijan’s national space agency Azercosmos for the purchase of two Israeli reconnaissance satellites as part of the Azersky-2 satellite program. **49** The agreement laid the groundwork for future cooperative space endeavors, including the development of space technologies, satellite systems, robotic space exploration, vehicle and optical systems, and collaborative academic endeavors. **50**

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the functioning of multiparty systems, and popular participation in the political process.

1.00
/7.00

- In early 2023, President Aliyev signed a restrictive law that helped the government extend its tight control over political parties. While the enacted law is a toned-down version of a bill initially introduced in 2022, it empowers the government to invalidate any political party with less than 5,000 registered members and includes several burdensome administrative requirements that political parties had difficulty meeting. **51** The law allowed the Ministry of Justice to deny registration to three prominent opposition parties—the REAL Party, AXCP, and Musavat, pinpointing various issues with the member lists that the new law required parties to submit, such as duplicates, prohibited dual memberships in other parties, and other administrative errors. The ministry stated that when their employees reached out to listed party members, some denied their membership. Although the three parties later submitted revised membership lists that the

ministry approved, the episode highlighted the government's tight control over electoral processes. **52**

- Several members of opposition parties faced detention, imprisonment, torture, and degrading treatment on bogus charges during the year. In July, Gubad Ibadoghlu, the leader of the Azerbaijan Democracy and Welfare Party (ADR) and a vocal critic of the government, was arrested for the production, procurement, or distribution of counterfeit money as part of a coordinated group. **53** He worked as a senior visiting fellow for the London School of Economics and Political Science and consistently criticized the political regime in Azerbaijan, calling for economic and democratic reforms. **54** If convicted, Ibadoghlu faces up to 12 years in prison. The police beat Ibadoghlu and his wife during his arrest and his health deteriorated in the detention center because authorities denied him medical care. **55** Multiple local and international NGOs have urged the government to dismiss the charges. Opposition parties and analysts believe that the charges against Ibadoghlu are spurious and are instead an attempt to muzzle government critics. **56** Opposition party leaders called his arrest as “act of political repression” and “a shameful step of the regime.” **57**
- Three other ADR members faced arrest later in the year. In September, ADR Khazar District chairman and vocal government critic Allahverdi Babayev was convicted of “disobeying the police”—a charge that opposition activists said was fabricated—and sentenced to 30 days in jail. **58** Vusal Zeynalov, affiliated with the ADR's Gazakh regional branch, was detained on September 30. His party reported that Zeynalov had criticized President Ilham Aliyev on social media. He was called to the local police department in Gazakh, where formal charges were filed against him **59** . He was given a 20-day administrative detention. **60** In October, ADR member Huseyn Malik was sentenced to 20 days in jail for hooliganism and disobeying the police, charges that party members said were fabricated to punish Malik for social media posts critical of the government. **61**
- The AXCP continued to face government pressure. In February, AXCP member Alizamin Salayev was arrested on charges of “hooliganism with the use of a weapon or an object used as a weapon”. **62** He was accused of stabbing someone in the stomach and arm and held in pretrial detention for three months. Although the traces of Salayev's left index finger were found on the knife upon investigation, his lawyer stated that the material evidence

is not sufficient for his arrest and this is a pre-set provocation against Salayev to arrest him. ⁶³ To protest his detention and ill treatment in custody, Salayev initiated a hunger strike. ⁶⁴ In May, he received a four-year prison sentence despite calls for his release. ⁶⁵ In October, a Baku court sentenced Kenan Zeynalov, the bodyguard of AXCP leader Ali Karimli, to 25 days in jail for “disobeying police orders.” The AXCP said the charges were politically motivated and connected to his political activities. ⁶⁶

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups.

1.25
/7.00

- Throughout the year, civil society faced persistent challenges, including intimidation, violence, and arrest and imprisonment. In June, media reports emerged that the General Prosecutor’s Office had dropped criminal charges dating from 2014 against some, but not all NGOs in legal jeopardy. ⁶⁷ Civil society leaders such as Mirvari Gahramanli of the Organization for the Protection of Oil Workers’ Rights confirmed that they no longer faced charges. ⁶⁸
- Although the dismissal of the 2014 charges was seen as a positive development, human rights advocates said it did not represent a significant policy shift, considering the persistent challenges that civil society faces. ⁶⁹ Activists such as Intigam Aliyev and Elchin Sadigov questioned the impact of the dropped charges, citing the deteriorating conditions for civil society. They emphasized the ongoing challenges for independent media, NGOs, and political organizations, highlighting the government’s adversarial stance towards independent civil society. They said the dropped charges were merely a token gesture aimed at projecting an image of reform and dialogue. ⁷⁰
- Activist Bakhtiyar Hajiyev, who was jailed in 2022 on charges of hooliganism and contempt of court, continued to be held in pretrial detention throughout the year. Despite international appeals for his release, authorities extended his detention several times. Both local and international human

rights groups have said his detention is politically motivated. **71** In February, Hajiyev's Facebook account was compromised, which led to the public release of sensitive personal conversations and intimate photos. Opposition activists argued that the government arranged the hacking to undermine public support for Hajiyev's release and to pressure him to stop a hunger strike he began in January to protest his detention. **72** Hajiyev later ended the hunger strike. **73** In November, the government lodged additional tax evasion charges against Hajiyev **74** . **75**

- In March, several women's rights activists organized an unsanctioned protest. **76** They gathered at Fountain Square, brandishing banners with phrases like "We want to live," "Killing women are political crimes," "Protect our lives," and "Do not reconcile but investigate." They then marched towards the Azerbaijani cinema, escorted by the police, who did not stop the demonstration. **77** After sharing their demands, the activists dispersed peacefully. Their protest aimed to highlight issues like violence against women, public shaming, and the misuse of intimate images for political purposes. **78**
- In 2023, LGBT+ people continued to face discrimination. Lawmakers from the ruling party have advocated for draconian anti-LGBT+ legislation similar to the laws passed in Russia in 2012 and 2022. Although no bills have yet been introduced in the parliament, human rights advocates expressed concern that legislators could be inspired by the Russian laws and draft their own anti-LGBT+ legislation. **79**
- The LGBT+ community reports facing surveillance, harassment, and violence, and many say they do not trust the police or other government institutions to protect them. **80** In May, a video clip emerged on social media that showed a fight between three transgender individuals and Baku police officers, leading to the detainment of one transgender woman. Two activists were jailed for 15 days and two were fined for protesting against the arrest. **81** The queer activists said the authorities assaulted and verbally abused them at the police station. **82**
- In June, environmental protests erupted in the village of Soyudlu against a proposal to build a second artificial lake to store wastewater from the Gedabek goldmine. **83** Villagers said the mine had severely degraded the local environment and cited air pollution from cyanide gas as a major public health problem. They feared that adding another lake for wastewater would

worsen conditions. The police used rubber bullets and tear gas to disperse protesters. ⁸⁴ Officials reported that five protesters were jailed. However, a Baku-based group advocating for the rights of Soyudlu's residents reported that authorities arrested 11 protesters, jailed 8, and charged three with drug possession. ⁸⁵

- Activists who shared content on the Soyudlu protests faced arrest. Giyas Ibrahim and Elmir Abbasov were sentenced to 30 and 20 days in jail, respectively, after they criticized the authorities' response to the protests on social media. Ibrahim was charged for posting content "not allowed for online distribution" and deliberately defying police commands. His post voiced support for the Soyudlu protesters. Abbasov, a leader in Nida Civic Movement, was jailed for minor hooliganism and resisting police orders. ⁸⁶
- In August, three couriers for the Wolt food delivery service, who are also members of the Table of Workers Confederation, a trade union, were detained after they participated in a protest against the government's confiscation of the scooters they used for deliveries. The chairman of the confederation, Afiyeddin Mammadov, faced a 500-manat fine for disobeying an authority figure and was sentenced to 30 days in jail for petty hooliganism. Prosecutors charged two confederation members, Elvin Mustafayev and Aykhan Israfilov, with major drug trafficking, leading to their preventive detention for four months. Another member, Orkhan Zeynalov, said the police were harassing him. The trade union, which was established to unite working-class Azerbaijanis of all backgrounds and provide a genuine alternative to government-sponsored "trade unions," has become a potential threat to the authoritarian government, which responded with repression. ⁸⁷ In September, Mammadov faced new charges of armed hooliganism and deliberate infliction of bodily harm, based on an unidentified individual's accusation that Mammadov attacked him with a knife. A judge placed Mammadov in pretrial detention for two months after he was charged. In November, the court extended his detention for two more months. ⁸⁸ Mammadov denied the allegations and said the government was targeting him because of his trade union activism. ⁸⁹

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media.

1.00
/7.00

- Journalists face violence, intimidation, torture, threats, arrests, and even fatal attacks. In 2023, independent journalists called for the annulment of the Media Law introduced at the end of 2021. The law threatens freedom of expression and could dismantle independent media. The government had claimed that the introduction of the new law is aimed at updating the nation's media laws to align more closely with global benchmarks and to enhance journalistic standards. ⁹⁰ However, independent analysts believe that the legislation falls short of meeting international human rights norms concerning media freedom and freedom of speech ⁹¹. They express apprehension that the law fails to adhere to global standards and grants the government overly broad discretionary authority to regulate the media. ⁹² In late January, A group of Azerbaijani journalists published an assessment of the Media Law asserting that the law violates the constitution and the European Convention on Human Rights. They urged international organizations to which Azerbaijan belongs to scrutinize the law. The document also noted that since the inception of the Media Registry under the new law, more than 40 media outlets have been denied registration for "technical reasons." ⁹³ At public hearings organized by journalists and other media professionals, participants highlighted the Venice Commission's condemnation of the law. ⁹⁴ Journalists also reiterated that the law could be used to suppress dissent and target independent journalists. ⁹⁵
- Police allegedly harassed journalists reporting on the environmental protests in Soyudlu in the summer of 2023. ⁹⁶ At least six journalists faced detention, threats, violence, or other obstructions while covering the protests. Soon after the demonstrations began in June, police restricted access to the village, permitting only residents and progovernment media to enter. ⁹⁷ Among those denied entry were Nargiz Absalamova from Abzas Media and Nigar Mubariz, a journalist with the Voice of America's Azerbaijani service. ⁹⁸
- When these reporters sought alternate routes into the village, police reportedly ambushed them and confiscated their phones. Police also

interrupted Farid Ismayilov of Toplum TV while he interviewed residents of the neighboring village, Chovdar. Ismayilov said local officials told him his relatives would lose their jobs if he aired his reports. Moreover, individuals sharing photos of the Soyudlu protests online have allegedly faced police intimidation and been compelled to remove the content. ⁹⁹ The European Federation of Journalists and the Committee to Protect Journalists both expressed concern about the authorities' efforts to suppress the spread of information about the protests and called on the government to allow journalists to cover the situation. ¹⁰⁰

- Journalists critical of the military incursions in Karabakh faced arrest. In September, journalist Nurlan Gahramanli said he was summoned by the State Security Service and threatened with rape if he did not stop posting social media commentary against the war. ¹⁰¹ He was later arrested for disseminating prohibited information and sentenced to 30 days in jail. ¹⁰²
- Authorities cracked down on independent media in November. On the same day, police detained Ulvi Hasanli, the director of Abzas Media and Sevinc Vagifgizi, the outlet's editor-in-Chief. ¹⁰³ Social entrepreneur Mahammad Kekalov, who had also worked with the company, which is known for its aggressive corruption coverage, was arrested as well. In December, Abzas Media journalist Nargiz Absalamova was charged with smuggling and placed in pretrial detention for three months. ¹⁰⁴
- In November, Aziz Orujov, the founder of the YouTube news channel Kanal 13, was charged with illegal construction and placed in pretrial detention. In December Kanal 13 host Rufat Muradli was arrested for hooliganism and disobeying police orders, and the channel's editor Teymur Karimov was detained on contested extortion charges. Journalist Samo Eminov was detained later in December on smuggling charges. ¹⁰⁵
- Also in December, the police detained Hafiz Babali, the economics editor at the independent news agency Turan, who had published reports on Abzas Media's website, on unspecified charges. ¹⁰⁶ These arrests came amidst an anti-Western campaign by Baku officials, with some progovernment media accusing USAID and the US Embassy in Baku of creating a spy network in Azerbaijan via educational programs established in 1993. ¹⁰⁷

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities.

1.25
/ 7.00

- Azerbaijan's municipal governments, which are directly elected, are pivotal for local self-governance. They are autonomous administrative bodies designed to decentralize governance and promote civic engagement. However, the credibility of municipal elections has often been undermined by alleged voter fraud. Numerous instances of carousel voting, ballot tampering, and undue pressure on independent candidates were highlighted by independent observers in the December 2019 municipal elections. ¹⁰⁸
- Public involvement in local decision-making is dwindling. Local governments often exclude civil society, trade unions, and the business community from the policymaking process. Municipalities often fall under the sway of local executive chiefs who are appointed directly by the president. These chiefs frequently wield excessive power and undermine decentralization efforts. They misuse their power to interfere into the activities of local municipalities, eroding the essence of local democratic governance. Local governments often lack transparency, restricting the press and the public's access to information.
- Many municipalities face inadequate funding and limited authority. Some struggle to execute public projects and are indebted to the State Social Defense Fund. A 2021 report from the Council of Europe's Congress of Local and Regional Authorities observed that the municipalities are often ineffective, and only carry out basic services such as road maintenance, cemetery upkeep, and certain social services. A lack of capacity and training hinder even these basic services. ¹⁰⁹
- In March, President Aliyev unveiled a new management model that includes special presidential representatives for various regions. Initially, these representatives were dispatched to the regions Azerbaijan reclaimed following the 44-Day War. However, analysts expect the government to expand the model across the country. ¹¹⁰ In October, the government declared that municipalities will be established via elections in Armenian areas of Karabakh. This initiative is a component of the reintegration plan for Armenian residents. ¹¹¹

- Local government officials usually tend to ignore residents' socioeconomic problems. For example, the proposed construction of the second artificial lake to store wastewater from goldmines compounded residents' earlier concerns in Soyodlu village, as a previously constructed lake for goldmine wastewater led to the release of cyanide gas and harmed the local environment. ¹¹² The resulting damage to crops, trees, and pastures threatened the villagers' livelihoods, and increased illnesses among older residents deepened their worries. However, local municipalities remained unresponsive to these challenges villagers face. ¹¹³

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions.	1.00 /7.00
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- Although the constitution guarantees judicial independence, in practice the executive branch holds great sway over judges and prosecutors. Although the law protects basic political, civil, and human rights, these provisions are not consistently upheld, especially in regard to government critics. The government often violates the rights of those who scrutinize or openly challenge top officials. Judges and prosecutors often work together to imprison political adversaries, including opposition leaders, civil society activists, investigative journalists, and other critics, on politically motivated charges at the behest of the executive branch. The government exploits the judicial system to suppress critics and political challengers.
- In February, the European Court of Human Rights (ECtHR) ruled that the government must pay €64,000 to eight individuals detained during the 2015 Nardaran events, the violent confrontation that occurred on November 26, 2015, in the Baku suburb of Nardaran between residents and police. ¹¹⁴ This incident resulted in the deaths of seven individuals, injuries to four others, and the arrest of fourteen people. The complainants said they faced torture, maltreatment by the police, unjust local court rulings, and infringement of their property rights. All complainants were apprehended in Nardaran and other localities and were affiliated with the Muslim Unity movement. They collectively voiced concerns about police misconduct during their arrests,

asserting that it was an attempt by authorities to obtain coerced confessions. The government conceded to the complainants' allegations and proposed payment of €8,000 each. However, the claimants said the proposed payment was insufficient. ¹¹⁵ Indeed, a 2023 report by the Council of Europe found that Azerbaijan was disregarding a growing number of ECtHR decisions. ¹¹⁶

- In March, new trials began for military personnel over their actions during the “Tartar events” in 2017, when 452 military servicemen allegedly endured torture and degrading treatment to coerce them to admit to espionage on behalf of Armenia. ¹¹⁷ Reports demonstrate that severe beatings, electroshock, and other forms of torture caused multiple deaths. By 2019, as the severity of the case to light, demands for an in-depth inquiry grew. Treason charges against the servicemen were eventually withdrawn and they were exonerated ¹¹⁸ . Officials have acknowledged that torture occurred and have taken steps to address the violations. Despite the prosecution of some military personnel for their involvement, many believe that the main perpetrators in the military remain unpunished. ¹¹⁹
- Opposition politicians and activists often face arbitrary arrest, detention without due process, unwarranted searches, and torture. There are no legal protections against these abuses in practice. Many political detainees fill the country's jails and prisons, including dissidents deported from Germany on questionable charges. ¹²⁰ While some political prisoners were pardoned in early May, 34 people were detained for political reasons between April and July. ¹²¹ The Union for the Freedom of Political Prisoners in Azerbaijan said there were 204 political prisoners in the country as of July. ¹²² Prison conditions are reportedly severe and delayed medical care impacts prisoners' health. Many released prisoners struggle to reintegrate into society. For instance, political prisoner Abid Gafarov discovered that British Petroleum had fired him when he was released in 2023. ¹²³
- There was no meaningful criminal justice reform in 2023. The government threatened lawyers who defended political prisoners with disbarment. In August, the Bar Association summoned human rights lawyer Zibeyda Sadygova to a presidium meeting, raising concerns that she would be disbarred. ¹²⁴ Punishing defense attorneys who represent political prisoners violates their fundamental rights to a fair trial and defense. ¹²⁵

- In September, the ECtHR ruled that the government must urgently provide medical care to jailed opposition figure Gubad Ibadoglu, who had reportedly been denied care as his health deteriorated. The court ordered Azerbaijani authorities to conduct an investigation into Ibadoglu's health and report its findings back to the ECtHR. According to media reports, Azerbaijan did not comply with the order and continued to deny Ibadoglu medical care. **126**

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

1.00

/ 7.00

- Corruption is prevalent in Azerbaijan. Government officials and regional executive leaders often exploit their positions to appropriate public resources and business proprietors face pressure to funnel bribes to these officials. High-ranking authorities and local executive heads are often dismissed and jailed on charges of corruption when they lose political favor or no longer align with the regime's objectives, rather than in response to actual criminal activity. The government usually uses corruption charges as a tool to remove undesirable officials, many of whom are indeed corrupt. **127**
- Anticorruption efforts stalled in 2023 and the government dedicated fewer resources to investigating corruption. In 2023, mostly low-ranking officials faced corruption charges compared to the preceding year. For instance, an anticorruption investigation in the Jalilabad region by the Anti-Corruption General Directorate of Prosecutor General led to the arrests of the Jalilabad District Municipalities Coordinating Council's chairman and city municipality's head, Jalilabad District Executive Authority's chief architect, and the Jalilabad Electricity Network's chief. **128**
- Separately, the Chief Anti-Corruption Department of the Prosecutor General arrested the head architect of the Tartar District's Architecture and Construction Department for accepting a bribe. **129** Furthermore, a representative of the Absheron District Executive Power in Mehdiabad administrative zone was arrested for repeatedly receiving 42,000 manat (\$25,000) bribes from local citizens to allow them to build houses on land zoned for agriculture. **130**

- While some high-profile arrests for corruption create the perception that the government is taking action, most anticorruption initiatives are largely symbolic and do not lead to substantive change. Politicians who expose high-level corruption within the political system often encounter strong backlash. For example, member of parliament Vahid Ahmedov criticized corruption among his colleagues in an April interview. This led to an uproar among his colleagues in the parliament, which led to Ahmedov receiving a reprimand. ¹³¹

Footnotes

- ¹ “Cəlilabadda KORRUPSIYA ƏMƏLİYYATI - Saxlanılanların adları məlum oldu” [Corruption Operation in Jalilabad - The names of those detained were revealed], Milli News, 31 July 2023, <https://news.milli.az/society/1135634.html>.
- ² “Nagorno-Karabakh’s breakaway government says it will dissolve itself,” The Guardian, 28 September 2023, <https://www.theguardian.com/world/2023/sep/28/nagorno-karabakh-separati...>; “Azerbaijan Leader Calls Snap Presidential Vote For Feb. 7,” Voice of America, 7 December 2023, <https://www.voanews.com/a/azerbaijan-leader-calls-snap-presidential-vot....>
- ³ “Azerbaijan: Analysis of Gaps in the Protection of Internally Displaced Persons (IDPs),” UNHCR, October 2009, <https://www.unhcr.org/media/azerbaijan-analysis-gaps-protection-interna...>
- ⁴ Bashir Kitachayev, “100 days in, even Azerbaijan’s opposition backs Nagorno-Karabakh blockade,” Open Democracy, 30 March 2023, <https://www.opendemocracy.net/en/odr/nagorno-karabakh-blockade-azerbaij....>
- ⁵ Heydar Isayev, “Azerbaijani political parties struggle amid new restrictive law,” Eurasianet, 27 January 2023, <https://eurasianet.org/azerbaijani-political-parties-struggle-amid-new-....>

More footnotes



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