



# “We Try to Stay Invisible”

Azerbaijan’s Escalating Crackdown on Critics and Civil Society

HUMAN  
RIGHTS  
WATCH



FREEDOM NOW



FREEDOM NOW

## **“We Try to Stay Invisible”**

**Azerbaijan's Escalating Crackdown on Critics and Civil Society**

Copyright © 2024 Human Rights Watch

All rights reserved.

Printed in the United States of America

ISBN: 979-8-88708-169-4

Cover design by Ivana Vasic

Human Rights Watch defends the rights of people worldwide. We scrupulously investigate abuses, expose the facts widely, and pressure those with power to respect rights and secure justice. Human Rights Watch is an independent, international organization that works as part of a vibrant movement to uphold human dignity and advance the cause of human rights for all.

Human Rights Watch is an international organization with staff in more than 40 countries, and offices in Amman, Amsterdam, Beirut, Berlin, Brussels, Chicago, Copenhagen, Geneva, Goma, Johannesburg, London, Los Angeles, Nairobi, New York, Paris, San Francisco, Sydney, Tokyo, Toronto, Tunis, Washington DC, and Zurich.

For more information, please visit our website: <http://www.hrw.org>

Freedom Now protects individuals and communities from government repression and defends human rights through direct legal support, targeted high-leverage advocacy, and capacity-building analysis and assistance.

For more information, please visit our website: <http://www.freedom-now.org>



FREEDOM NOW

OCTOBER 2024

ISBN: 979-8-88708-169-4

# “We Try to Stay Invisible”

## Azerbaijan's Escalating Crackdown on Critics and Civil Society

- Summary..... 1**
- Recommendations .....7**
  - To the Government of Azerbaijan ..... 7
  - To the Council of Europe..... 7
  - To the European Union and its member states, and Other Concerned Governments ..... 8
  - To the United Nations Framework Convention on Climate Change (UNFCCC) Secretariat and Member States..... 9
- Methodology..... 10**
- Background..... 12**
  - Political Landscape ..... 12
  - Aggressive Tactics to Silence Critics..... 13
  - Restrictions on Media .....15
  - COP29 and Azerbaijan ..... 16
- New Wave of Arrests and Convictions of Activists, Journalists, and Others .....20**
  - Human Rights and Political Activists ..... 21
    - Bakhtiyar Hajiyev..... 21
    - Rail Abbasov ..... 22
    - Gubad Ibadoghlu..... 23
    - Fazil Gasimov ..... 25
    - Ilhamiz Guliyev..... 25
    - Tofiq Yagublu ..... 26
    - Anar Mammadli ..... 27
    - Akif Gurbanov and Five Other NGO Activists ..... 28
    - Imran Aliyev ..... 29
    - Bahruz Samadov ..... 30
    - Igbal Abilov ..... 31
  - Journalists and Media Outlets..... 31
    - Abzas Media ..... 31
    - Kanal 13 ..... 34
    - Toplum TV ..... 35

Jamil Mammadli.....	37
Trade Union Activists .....	38
Afiaddin Mammadov.....	38
Elvin Mustafayev .....	39
Aykhani Israfilov.....	40
Mohyeddin Orucov .....	41
<b>Arbitrary Denial of NGO Registration.....</b>	<b>42</b>
Refusal To Acknowledge Signatures.....	44
Case of a Community Support NGO.....	45
A Women’s Education Initiative .....	45
Case of a Legal Defense NGO.....	46
Claiming Fault with Organizations’ Names.....	46
Using Other Alleged Errors in Applications as Pretexts .....	49
Requests For Official References.....	50
<b>Obstacles and Risks Faced by Unregistered NGOs .....</b>	<b>52</b>
Threat of Criminal Prosecution and Harassment .....	52
Barriers to Funding.....	53
Barriers to Hiring Staff or Renting Office and Event Spaces.....	54
<b>Control and Intrusive Oversight of Registered NGOs.....</b>	<b>57</b>
<b>Deciding Not to Register an NGO.....</b>	<b>63</b>
<b>Azerbaijan’s Legal Obligations on Freedom of Association .....</b>	<b>66</b>
European Court of Human Rights Decisions .....	67
Other International Organizations’ and Governments’ Criticism of Restrictions on NGOs .....	71
<b>Acknowledgments.....</b>	<b>74</b>

## Summary

Azerbaijan has had a poor human rights record for many years, with the government regularly targeting those who play important watchdog roles in society, including human rights defenders, journalists, and independent civic activists. The government's vicious crackdown on critics and dissenting voices intensified over the last two years. Among the methods the government uses to target these individuals are arrests and prosecutions on politically motivated, bogus criminal charges, as well as the arbitrary enforcement of highly restrictive laws regulating non-governmental organizations (NGOs). This system effectively excludes independent activists and media from lawful ways of carrying out their work, thereby pushing them to the margins of the law and heightening their vulnerability to retaliatory criminal prosecution.

Azerbaijan is rich in oil and natural gas, depends heavily on fossil fuels for its state budget, and in 2024 is also hosting COP29, the United Nations Climate Conference. In the months leading up to COP29, Azerbaijani authorities have arrested dozens of prominent activists and media figures on baseless, serious criminal charges. The arrests are overwhelmingly linked to highly restrictive laws on non-governmental organizations (NGOs).

Based on in-depth interviews with lawyers, NGO leaders, journalists, youth activists, and relatives of these individuals, as well as detailed analysis of numerous laws and regulations pertaining to the work of NGOs, this report documents the government's concerted efforts to silence critical voices in the country. It documents the recent wave of arrests and shows how Azerbaijani authorities have deliberately misused laws regulating NGOs to deny certain independent NGOs registration, thereby exposing individuals affiliated with them to criminal charges. This report details some of the most prominent cases of detention and harassment, as well as takes an in-depth look at the regulatory system, in effect for many years, which appears designed to constrain, if not decimate, Azerbaijani civil society.

The arrests are politically motivated and follow well-established, abusive methods the government has used for many years to curtail freedom of speech and freedom of association in the country. Several individuals currently facing criminal charges have previously been imprisoned by the government, also on false grounds.

Among those arrested and currently in detention is veteran human rights defender Anar Mammadli, who, in the weeks before his arrest, co-founded a climate justice group. Prominent economist and professor Gubad Ibadoghlu, who specializes in revenue transparency in the oil and gas sector, is being held under house arrest after nine months in pretrial custody. Authorities have also aggressively targeted three of the few online independent news outlets remaining in Azerbaijan, including Abzas Media and Toplum TV. They arrested 12 of these three platforms' media professionals and six other affiliated individuals. All 18 remain behind bars as of this writing, and two other reporters with the platforms have been charged and transferred to house arrest. The offices of Abzas Media and Toplum TV have been searched and sealed, equipment confiscated, and their social media accounts hacked, and some websites blocked.

In 20 of 33 cases documented in this report, individuals were charged with smuggling money into the country. All 20 either worked for or were involved with unregistered NGOs and the country's two independent media outlets; some also face a slew of other criminal charges, including illegal entrepreneurship, money laundering, document forgery, and tax evasion. The others are awaiting trials or were sentenced on charges including extremism, drug possession, counterfeiting, inflicting bodily harm, and treason.

In most of these cases, the circumstances and timing of the arrests strongly suggest that the criminal charges were merely a pretext intended to punish and put an end to activists' legitimate work. In some of the cases, activists were prosecuted for attempting to carry out their legitimate work in a context in which the laws and regulations render it virtually impossible to operate legally, making them vulnerable to harassment, fines, and criminal charges. Human Rights Watch and Freedom Now are convinced by a review of the evidence that all of the cases discussed in this report were politically motivated attacks on the legitimate exercise of activists' right to freedom of association and expression in violation of the Azerbaijani government's obligations under international human rights law.

The recent wave of arrests and convictions has sown fear among the remaining independent and critical voices. An increasing number of civil society activists have left the country since November 2023, further diminishing the diversity of organizations and activists speaking up for human rights and challenging the government.

A variety of legal provisions appear designed to hamper the work of civil society organizations and independent media. This report documents how the Ministry of Justice selectively applies legal provisions, or ignores laws altogether, to deprive

certain NGOs of registration, thus limiting their ability to access funding or operate legally. These provisions have effectively criminalized unregistered NGO activity. Many of those targeted in the current arrest wave work for independent initiatives and media whose leaders felt they had no choice but to operate, as unregistered entities, at the margins of the law if they wanted to continue their legitimate NGO work. They have done so at great personal risk. Some NGOs and media outlets had to close.

For example, NGO activists interviewed for this report described how the ministry, in some instances, rejected their registration applications on the basis of minor, technical errors in application materials. Efforts to address them were mostly futile. In others, the ministry claimed that an organization could not be a legal entity because its name does not describe all of the types of work the organization does, a requirement not specified in law. Several activists said the ministry demanded documentation or information not specified in the laws, such as letters of recommendation from other government agencies. In some cases, the ministry simply did not respond to an NGO's application for registration, or refused to send an official denial, thereby effectively denying registration while preventing the NGO from appealing denials in court.

The government misuses the registration process and enforces prohibitive funding regulations to obstruct legitimate human rights and other crucial work through a veneer of legality. Without registration, NGO leaders whom the government disfavors are left seeking ways to continue their legitimate, substantive work while navigating the margins of the law.

Without registration as a legal entity, NGOs also cannot carry out regular, basic functions. They cannot open an organizational bank account and therefore cannot receive grants from international or domestic sources. They cannot hire staff or rent office or event space. Also crucially, they cannot engage in public advocacy on behalf of their clients.

Since 2014, the government has also dramatically restricted access to foreign funding for NGOs, which had been the predominant source of funding for most human rights groups and other NGOs critical of government policies. All potential foreign donors must register a branch or office in the country and then receive permission from the Ministry of Justice to award grants. Any registered donor must seek an opinion from the Ministry of Finance on the "financial-economic expediency" of each grant, prior to disbursing it. NGOs must register every grant agreement with the Ministry of Justice. All



grants must be disbursed to the bank accounts of legal entities, rendering them unavailable to unregistered NGOs.

Even if a group can secure registration, the state has vast intrusive powers of inspection and potential sanction that it can potentially use to interfere with everyday NGO operations. For example, NGOs must register changes to their charter, leadership, legal address, and the like with the Ministry of Justice. Until the ministry approves these changes, NGOs are barred from financial transactions or other operations. Some NGO leaders view this procedure as a potential tool for government obstruction, similar to the registration process itself, particularly for those critical of the government or working on sensitive issues. Non-compliance can lead to warnings, and more than two warnings in a year may result in the authorities suing to de-register the NGO.

In the face of these obstacles, some NGO leaders have expressed reluctance to seek registration from the Ministry of Justice, fearing that doing so would give the government more opportunities to interfere with their work or would be futile. Activists contemplating applying for registration see the experience of other organizations, which have been denied registration: their leaders unsuccessfully appealed the denials in local court, and even won the case in the European Court of Human Rights, but the government continues to refuse to register them.

Restrictive NGO registration policies and practices cause additional challenges for NGOs that work with marginalized and at-risk groups, including survivors of domestic violence, people with disabilities, and the LGBT community. Women's rights and LGBT rights groups that are unregistered face challenges operating meeting rooms for their beneficiaries, openly conducting human rights awareness-raising initiatives, operating hotlines, and receiving donations to assist those in need.

The government's obstruction of the legitimate work of non-governmental organizations and the media have severely limited the space for independent activism, critical journalism, and opposition political activity.

Under international law, and as a state party to both the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights, the Azerbaijani government has obligations to ensure the rights to freedom of association, assembly, and speech. International human rights law recognizes those freedoms as fundamental human rights, essential for both the effective functioning of a democratic

society and the protection of individual dignity. Any limitations to those rights must be narrowly defined to serve a legitimate purpose and must be demonstrably necessary in a democratic society.

In relation to a number of NGOs which were denied registration, in the past decade, the European Court of Human Rights has found that the Azerbaijani government violated the right to freedom of association. It has specified that the right “to form a legal entity in order to act collectively in a field of mutual interest is one of the most important aspects of the right to freedom of association, without which that right would be deprived of any meaning.” It held that the manner in which the authorities delayed the registration of these groups amounted to unlawful interference in the right to freedom of association.

The European Court has also repeatedly found that Azerbaijani authorities had ulterior motives when imposing limits on freedom of association and specifically intended to “punish the applicants for their activities in the areas of human rights.”<sup>1</sup> In a case on the politically motivated prosecution of a government critic, the court held that the government’s harsh regulation of NGO activity “cannot be simply ignored” because the nature of the regulations leads to the criminalization of NGO activity.<sup>2</sup>

When Azerbaijani authorities lose cases at the European Court, they consistently pay the applicants the sums indicated by the court. But they have done little to address the violations in full. As documented in this report, the domestic legal framework and practice regulating the registration, operation, and funding of NGOs remain extremely restrictive and continue to interfere with the enjoyment of the right to freedom of association.

In line with its international commitments, the government of Azerbaijan should immediately and unconditionally release political and civic activists, journalists, and others held on politically motivated charges and end the use of trumped-up or spurious criminal charges to prosecute government critics.

---

<sup>1</sup> *Democracy and Human Rights Resource Center and Mustafayev v. Azerbaijan (Applications nos 74288/14 and 64568/16)*, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-212139%22%5D%7D> (accessed August 12, 2024), para. 110.

<sup>2</sup> *Yunusova and Yunusov v. Azerbaijan*, (Application no. 68817/14), judgment rendered on 16 July 2020, para. 192. See also *Rasul Jafarov v. Azerbaijan*, (application 69981/14), judgment of July 4, 2016, para. 120.

The authorities should also immediately end the crackdown on civil society, including by ending undue interference with the freedom of people in Azerbaijan to form associations. The authorities should immediately revise the NGO law in line with the recommendations made by the Council of Europe's Venice Commission, particularly ensuring that overly complicated registration requirements do not create undue obstacles to freedom of association. The government should also repeal regulations that prevent independent nongovernmental organizations from accessing non-state funding and present excessive obstacles to international donor organizations' grant-making in Azerbaijan.

Azerbaijan's international partners should engage with the Azerbaijani government to convince the authorities to reverse the crackdown and amend the NGO legislation to create an enabling environment for independent groups to register and operate without undue government interference.

Ahead of the United Nations Climate Change Conference (COP29), member states and the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) should emphasize with Azerbaijani authorities the importance of a thriving and independent civil society to the conference's success. They should stress that all individuals and groups should be free to demand ambitious climate action before, during, and after the conference. Government and UN officials attending COP29 should make public and private calls for immediate and unconditional release of arbitrarily detained journalists, activists and human rights defenders.

Finally, the European Union, United States, and Azerbaijan's other bilateral and multilateral partners should ensure that political and economic ties with Azerbaijan contain commitments for concrete rights improvements and consider policy consequences should Azerbaijan continue its crackdown and disabling environment for civil society and media.

# Recommendations

## To the Government of Azerbaijan

- Immediately and unconditionally release wrongfully imprisoned civic and political activists, journalists, and others, including those whose cases are documented in this report, and drop the charges against them;
- Vacate any convictions against those released and remove restrictions on their freedom of movement;
- Ensure that independent civil society groups can operate without undue hindrance or fear of reprisals and persecution;
- Overhaul NGO legislation to abolish cumbersome procedures for registering an association;
- Ensure that NGOS are able to register grants, service contracts, and donations in a simplified process that entails notification procedures, rather than approvals;
- Remove onerous requirements for the registration and operation of foreign donors, and representative or branch offices of international organizations;
- Remove undue restrictions to accessing foreign grants and amend legislation on NGOs in accordance with the recommendations of regional and international human rights institutions, particularly regarding the registration, operation, and funding of NGOs;
- Uphold the rights to free expression, association, and protest before, during, and after COP29.

## To the Council of Europe

- The Committee of Ministers should consider moving the *Ramazanova and Others v. Azerbaijan* group of cases to an enhanced supervision procedure, and ensure that Azerbaijan takes general measures necessary to fully implement those judgments;
- As part of the implementation of the European Court of Human Rights cases on freedom of association, the Committee of Ministers should urge Azerbaijan to:
  - Overhaul NGO-related legislation to abolish cumbersome procedures for registration and regulation of an association;
  - Ensure that NGOS are able to register grants, service contracts, and donations in a simplified process that entails notification procedures, rather than approvals;

- Remove onerous requirements for the registration and operation of foreign donors, and representative or branch offices of international organizations;
- Parliamentary Assembly (PACE) monitoring of Azerbaijan’s obligations and commitments should place strong emphasis on the monitoring and reporting of undue restrictions placed on the work of civil society groups in the country, and its reporting should include detailed recommendations on steps the Azerbaijani government should take to address these concerns;
- PACE MPs should set clear benchmarks for the restoration of freedom of assembly and an enabling environment for civil society in the country before considering reinstating Azerbaijan’s credentials at the Assembly;
- As part of its Action Plan with Azerbaijan, the Council of Europe should assist the Azerbaijani authorities in bringing its laws and rules regulating the work of civil society groups in line with Azerbaijan’s international obligations and with recommendations made by the European Commission for Democracy through Law (Venice Commission).

## **To the European Union and its member states, and Other Concerned Governments**

- The EU and its member states should ensure that economic and political ties with Azerbaijan, including energy cooperation, contain concrete human rights commitments, in line with Azerbaijan’s obligations as a member of the EU’s Eastern Partnership initiative. These should include, but are not limited to:
  - Reform of laws and regulations governing nongovernmental organizations and their funding;
  - Ensuring that the EU can without undue hindrance fund independent civil society organizations;
- All concerned governments should urge Azerbaijan to:
  - Adopt the reforms noted above;
  - Immediately and unconditionally release wrongfully imprisoned civic and political activists, journalists, and others, including those whose cases are documented in this report, and drop the charges against them;
  - Set aside and increase protected funding to independent Azerbaijani civil society, including by reorienting direct government budget support;
  - Speak out vocally in private and in public, including during human rights dialogues with the Azerbaijani government, about the worsening environment for civil society.

## To the United Nations Framework Convention on Climate Change (UNFCCC) Secretariat and Member States

- Engage the Azerbaijani government to ensure diverse and inclusive civil society participation at the COP29 climate talks. Premises should be inclusive and accessible to all, and observers, including independent civil society, activists, academics, journalists, and groups or individuals who are critical of the government, should have access to the negotiations and be able to protest and express their positions freely;
- For this and future climate negotiations, ensure that the host country agreement is public and accessible and that it upholds international human rights law.

## Methodology

This report reflects collaborative research by Human Rights Watch and Freedom Now, a non-partisan independent human rights organization. The research was conducted between June 2023 and September 2024, including two research trips to Azerbaijan in June and July 2023. Researchers conducted more than 40 interviews with lawyers, staff, and leaders of nongovernmental organizations (NGOs), journalists, and youth group members. They also interviewed lawyers of detained individuals and in some cases, relatives of these individuals. Researchers also interviewed members of the international donor community. Some individuals were interviewed multiple times.

Interviews were conducted in Azerbaijani, English, or Russian by researchers who are native or fluent in those languages. In nearly all instances, the names of interviewees or their organizations have been withheld at their request and out of concern for their security.

Researchers explained to each interviewee the purpose of the interview and how the information gathered would be used. No compensation was offered or paid for any interview.

Interviews were conducted in person or by telephone or video call. Some in-person interviews were conducted in Azerbaijan, others were conducted outside the country.

Researchers also interviewed representatives of several donor organizations who work or previously worked on Azerbaijan.

Researchers also reviewed Azerbaijani laws and relevant rules and regulations pertaining to domestic and international nongovernmental groups. They obtained and analyzed copies of documents relevant to specific criminal cases, including indictments and verdicts.

Researchers also analyzed European Court of Human Rights judgments against Azerbaijan on freedom of association, as well as files related to the supervision of those judgments by the Committee of Ministers of the Council of Europe, including action plan submissions by the Azerbaijani authorities and interventions by international and local nongovernmental groups.

In September 2024, Human Rights Watch and Freedom Now wrote to the Azerbaijani authorities to seek their response to some of the findings documented in this report, including on the steps planned to bring Azerbaijan’s legislation and regulations regarding NGOs into line with its international commitments and European Court of Human Rights decisions. As of this writing, they had not yet responded.

The section of this report on Azerbaijan’s international legal obligations on freedom of association was adapted from Human Rights Watch’s 2016 report, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*.<sup>3</sup>

---

<sup>3</sup> Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown-government-critics>.



# Background

## Political Landscape

Azerbaijan is a country with considerable oil and gas reserves located in the South Caucasus and with a population of 10.4 million.<sup>4</sup> The country has a poor human rights record and an authoritarian political elite. President Ilham Aliyev has been in power since 2003, and a 2009 constitutional referendum abolished presidential term limits. The country’s elections have been frequently criticized as deeply flawed, including, most recently, ahead of snap presidential elections in February 2024, which international election observers said were “marked by the stifling of critical voices and the absence of political alternatives.”<sup>5</sup>

Neither the judiciary nor the parliament provides an effective check on executive power. Azerbaijan’s judiciary depends heavily on the executive and does not provide effective recourse against violations of basic rights.<sup>6</sup> The ruling Yeni Azerbaijan Party (YAP), chaired by President Aliyev, dominates the parliament and largely serves as a rubber stamp body.<sup>7</sup> Following the September 1, 2024 snap parliamentary elections, international observers concluded that the vote “took place in a restrictive political and

---

<sup>4</sup> In 2022 oil and gas production accounted for approximately 47.8 percent of Azerbaijan's GDP and 92 percent of export revenue. US Department of Commerce, International Trade Administration, “Azerbaijan—Country Commercial Guide, <https://www.trade.gov/country-commercial-guides/azerbaijan-market-overview#:~:text=Azerbaijan's%20economy%20is%20anchored%20in,to%20European%20markets%20in%202022> (accessed August 23, 2024). In December 2023, Azerbaijan’s state budget for 2024 was approved at AZN 34.173 billion (US\$20.1 billion) with an estimated 50 percent derived from oil and gas revenues. According to the Baku Research Institute, private parliamentary documents and released financial statements from SOCAR, the state oil company, reveal that when the additional AZN 500 million in income and employment taxes from oil and gas workers are included, this figure rises to 52 percent. Rovshan Aghayev, “Forecast For Azerbaijan’s 2024 Budget Revenues,” Baku Research Institute, <https://bakuresearchinstitute.org/en/forecasts-for-azerbaijans-2024-budget-revenues/> (accessed August 23, 2024).

<sup>5</sup> Organization for Security and Cooperation in Europe, “Election Observation Mission Republic of Azerbaijan – Early Presidential Election, 7 February 2024, Statement of Preliminary Findings and Conclusions,” <https://www.osce.org/files/f/documents/9/3/562473.pdf> (accessed September 6, 2024).

<sup>6</sup> Human Rights Watch, *Tightening the Screws: Azerbaijan’s Crackdown on Civil Society and Dissent*, September 1, 2013, <https://www.hrw.org/report/2013/09/01/tightening-screws/azerbaijans-crackdown-civil-society-and-dissent>.

<sup>7</sup> Bahruz Samedov, “Who Is in the New Azerbaijani Parliament,” *jam-news.net*, March 15, 2020, <https://jam-news.net/whos-who-in-the-new-azerbaijani-parliament/> (accessed August 28, 2024). See also Organization for Security and Cooperation in Europe, “Election Observation Mission Republic of Azerbaijan – Early Presidential Election, 7 February 2024, Statement of Preliminary Findings and Conclusions,” <https://www.osce.org/files/f/documents/9/3/562473.pdf> (accessed September 6, 2024). See also Freedom House, *Freedom in the World 2024*, <https://freedomhouse.org/country/azerbaijan/freedom-world/2024> (accessed August 24, 2024).

legal environment that does not enable genuine pluralism and resulted in a contest devoid of competition.”<sup>8</sup>

## Aggressive Tactics to Silence Critics

For years, Azerbaijan had a large and vibrant community of nongovernmental organizations (NGOs) devoted to such issues as human rights, corruption, the environment, revenue transparency, rule of law, and religious freedom, among other topics. However, starting in at least 2007, the government began waves of concerted pressure by harassing, detaining, and imprisoning human rights defenders, political activists, journalists, and others. It has also used violence against peaceful public protestors expressing their concerns about government policies.<sup>9</sup> It has also targeted the leaders and rank and file members of several opposition political parties, including the Azerbaijan Popular Front Party (APFP), which it has hounded for years.<sup>10</sup> Among the charges it has commonly used to prosecute critics are hooliganism, various drug-related crimes, illegal entrepreneurship, tax-evasion, and, most recently, currency smuggling.

The Azerbaijani government’s efforts to restrict and control independent civil society have been persistent throughout the years, although some periods, particularly ahead of nationwide votes or major events, have seen particularly harsh crackdowns.<sup>11</sup>

---

<sup>8</sup> Organization for Security and Co-operation in Europe, “Azerbaijan, Early Parliamentary Elections, 1 September 2024: Statement of Preliminary Findings and Conclusions,” September 2, 2024, <https://www.osce.org/odihr/elections/azerbaijan/575497> (accessed September 6, 2024).

<sup>9</sup> In March 2023, police used tear gas and rubber bullets to disperse people from Saatli, a village in central Azerbaijan, who tried to block a road to protest critical water shortages. In June 2023, riot police used tear gas and physical violence to disperse a peaceful demonstration in Soyudlu, in western Azerbaijan, against plans for an artificial lake to hold waste from a nearby gold mine. For both incidents, see Human Rights Watch, *World Report 2024* (New York: Human Rights Watch, 2024), Azerbaijan chapter, <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan>. For years there has been a de-facto ban on protests in central Baku. Police in some cases detain protest participants in advance or on the day of the protest.

<sup>10</sup> Human Rights Watch, *Tightening the Screws: Azerbaijan’s Crackdown on Civil Society and Dissent*, September 2013, <https://www.hrw.org/report/2013/09/01/tightening-screws/azerbajians-crackdown-civil-society-and-dissent>; Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, October 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbajians-continuing-crackdown-government-critics#1392>; and Human Rights Watch World Report chapters on Azerbaijan through 2024. For example, Human Rights Watch, *World Report 2023* (New York: Human Rights Watch, 2023), Azerbaijan chapter, <https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>.

<sup>11</sup> See Human Rights Watch World Report chapters on Azerbaijan through 2024. For example, *World Report 2023*, Azerbaijan chapter, <https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>. See also Human Rights Watch, *Beaten, Blacklisted, and Behind Bars: Vanishing Space for Freedom of Expression in Azerbaijan*, October 2010, <https://www.hrw.org/report/2010/10/26/beaten-blacklisted-and-behind-bars/vanishing-space-freedom-expression-azerbaijan>.

The years 2013 and 2014 saw one of the fiercest government crackdowns, with the arrest and imprisonment of dozens of opposition political activists, independent journalists, and eventually, the country's top human rights defenders. In subsequent years they were all released. In separate cases filed by individuals arrested during that period, the European Court of Human Rights (ECtHR) found that Azerbaijani authorities had wrongfully imprisoned government critics in retaliation for their activism.<sup>12</sup>

In 2013 and 2014, a series of legislative amendments expanded government control and regulation of NGOs, as discussed in sections below.

In April 2014, as the government was introducing harsh new restrictions on NGOs as well as measures to limit access to foreign funding, the Prosecutor General's Office initiated a sweeping criminal investigation involving dozens of international donors operating in Azerbaijan and their grantees. The donors were forced to stop grantmaking in Azerbaijan. The majority of international donors left the country.<sup>13</sup> Without access to funds, many NGOs were forced to suspend activities, dismiss staff, move abroad, or even to close.<sup>14</sup> The European Court of Human Rights found violations of the right to property and other violations related to the freezing of some organizations' bank accounts.<sup>15</sup>

Although in early 2016 the government's criminal investigation was suspended and some bank accounts were unfrozen, the overall restrictive environment made it impossible for many organizations to continue their work. Some organizations' bank accounts remain frozen as of this writing.<sup>16</sup>

---

<sup>12</sup> Human Rights Watch, *World Report 2021*, Azerbaijan chapter, <https://www.hrw.org/world-report/2021/country-chapters/azerbaijan>; and European Court of Human Rights judgments finding ulterior motives in Azerbaijan's restrictions on the right to liberty, including, *Ilgar Mammadov v. Azerbaijan* (Application No. 15172/13), judgment of May 22, 2014, *Rasul Jafarov v. Azerbaijan* (Application No. 69981/14), judgement of March 17, 2026, *Khadija Ismayilova v. Azerbaijan* (Application No. 65286/13), judgement of January 10, 2019, *Aliyev v. Azerbaijan* (Application No. 68762/14), judgement of September 20, 2018, *Mammadli v. Azerbaijan* (Application No. 47145/14), judgement of April 19, 2018.

<sup>13</sup> *Ibid.*

<sup>14</sup> Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan's Continuing Crackdown on Government Critics, Lawyers, and Civil Society*.

<sup>15</sup> *Mustafae v. Azerbaijan* (Application numbers 74288/14 and 64568/16), Judgement of February 28, 2022 <https://hudoc.echr.coe.int/eng?i=001-212139> (accessed August 22, 2024) (concerning the frozen bank accounts of two plaintiffs); *Imranova and others vs Azerbaijan* (Applications nos. 59462/14 and 17 others), Judgement of February 16, 2023. <https://hudoc.echr.coe.int/eng?i=001-223022> (accessed August 22, 2024) (finding that the government had unlawfully frozen the bank accounts of multiple individuals and organizations).

<sup>16</sup> Freedom Now online interviews, details withheld, with staff of a research organization, September 8, 2023, and with their lawyer, November 18, 2023.

Periodically, the authorities released some imprisoned activists under presidential pardons. However, very often those individuals' convictions remained in force, and some faced travel restrictions, while others left the country fearing further politically motivated persecution.<sup>17</sup> Over the years, Azerbaijani authorities have also retaliated against critics, including those who are in exile, by arresting or otherwise harassing their relatives in Azerbaijan.<sup>18</sup>

The government escalated this overall pattern in late 2022, aggressively pursuing critics with prosecutions, as detailed in this report. In December 2023, President Aliyev announced snap presidential elections for February 2024 and secured his victory practically unchallenged.<sup>19</sup> In June 2024, the president announced snap parliamentary elections for September 1, 2024, which, as noted above, international observers found were held in an atmosphere “devoid of competition.”<sup>20</sup>

## Restrictions on Media

The government is antagonistic toward independent and opposition media and all mainstream media with political content remain under tight government control. It uses a variety of tactics, in addition to prosecutions on bogus charges, to harass and silence independent media.<sup>21</sup> For example, in July 2021, the Organized Crime and Corruption Reporting Project (OCCRP), a global network of investigative journalists, alleged Azerbaijan had been spying on over a thousand phone numbers using Pegasus surveillance software. The group managed to identify about 250 of those numbers, the vast majority of which belonged to journalists and civil society activists.<sup>22</sup> The

---

<sup>17</sup> Human Rights Watch, *World Report 2022*, Azerbaijan chapter, <https://www.hrw.org/world-report/2022/country-chapters/azerbaijan>.

<sup>18</sup> Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan's Continuing Crackdown on Government Critics, Lawyers, and Civil Society*.

<sup>19</sup> “Azerbaijan’s Aliyev Calls Snap Presidential Elections for February,” *Al Jazeera*, July 12, 2023, <https://www.aljazeera.com/news/2023/12/7/azerbaijans-aliyev-calls-snap-presidential-elections-for-february> (accessed September 6, 2024).

<sup>20</sup> Organization for Security and Co-operation in Europe, “Azerbaijan, Early Parliamentary Elections, 1 September 2024: Statement of Preliminary Findings and Conclusions,” September 2, 2024, <https://www.osce.org/odihr/elections/azerbaijan/575497> (accessed September 6, 2024).

<sup>21</sup> Human Rights Watch, *Beaten, Blacklisted, and Behind Bars*, October 26, 2010, <https://www.hrw.org/report/2010/10/26/beaten-blacklisted-and-behind-bars/vanishing-space-freedom-expression-azerbaijan>.

<sup>22</sup> Organized Crime and Corruption Reporting Project (OCCRP), “The Pegasus Project,” Azerbaijan chapter, <https://cdn.occrp.org/projects/project-p/#/countries/AZ> (accessed August 14, 2024).

government has also blocked prominent independent and opposition media outlets' websites for many years.<sup>23</sup>

Laws introduced over many years have restricted independent media's ability to serve its crucial watchdog function. For example, in 2021, parliament adopted the Law on Media, which limits media independence, including by barring non-residents from owning media and requiring journalists to have higher education, a formal contract, and a minimum of three years' experience to obtain accreditation.<sup>24</sup> It also imposed on journalists and media outlets an obligation to register with the Media Development Agency.<sup>25</sup> The authorities can use a finding that a journalist violated professional ethics as well as a journalist's criminal record as grounds to bar them from accreditation or registration. This bars journalists convicted on politically motivated charges from working in journalism.<sup>26</sup>

The media law has been criticized as further limiting an already constrained space for media, and experts projected that it would have a "chilling effect."<sup>27</sup> Many journalists and editors in Azerbaijan resort to self-censorship to avoid criminal prosecution or other repercussions.<sup>28</sup>

### *COP29 and Azerbaijan*

From November 11 to 22, 2024, Azerbaijan is to host the 29th annual United Nations Climate Change Conference (COP29), which brings together states parties to the United Nations Framework Convention on Climate Change (UNFCCC) as well as thousands of

---

<sup>23</sup> Freedom House, *Freedom on the Net 2023*, Azerbaijan chapter, <https://freedomhouse.org/country/azerbaijan/freedom-net/2023> (accessed August 14, 2024) and Open Observatory of Network Interference (OONI), "OONI measurements show ongoing internet censorship in Azerbaijan," <https://ooni.org/post/2023-azerbaijan-internet-censorship/> (accessed August 14, 2024).

<sup>24</sup> Law of the Republic of Azerbaijan on Media, no. 471-VIQ, adopted December 30, 2021, <https://e-qanun.az/framework/49124> (accessed August 17, 2024). The law entered into force February 8, 2022. For an assessment of this law, see "Azerbaijan - Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the Law on Media," June 20, 2022. [https://venice.coe.int/webforms/documents/?pdf=CDL-AD\(2022\)009-e](https://venice.coe.int/webforms/documents/?pdf=CDL-AD(2022)009-e).

Human Rights Watch Submission to the Universal Periodic Review of Azerbaijan, 44<sup>th</sup> Session of the UN Universal Periodic Review, <https://www.hrw.org/news/2023/04/05/submission-universal-periodic-review-azerbaijan> (accessed September 6, 2024).

<sup>25</sup> Parliamentary Assembly of the Council of Europe, "Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Azerbaijan," Doc. 15898, January 23, 2024, <https://pace.coe.int/en/files/33302/html>.

<sup>26</sup> Law on Media, art. 74.

<sup>27</sup> "Azerbaijan - Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the Law on Media," June 20, 2022, [https://venice.coe.int/webforms/documents/?pdf=CDL-AD\(2022\)009-e](https://venice.coe.int/webforms/documents/?pdf=CDL-AD(2022)009-e) (accessed August 26, 2024).

<sup>28</sup> Human Rights Watch Submission to the Universal Periodic Review of Azerbaijan, 44<sup>th</sup> Session of the UN Universal Periodic Review, <https://www.hrw.org/news/2023/04/05/submission-universal-periodic-review-azerbaijan>.

experts, journalists, climate activists, and representatives from businesses and nongovernmental groups. It is a forum for states to discuss how to confront the climate crisis that is taking a growing toll on human rights around the world.

It is a cause of grave concern that Azerbaijani authorities' longstanding record of stifling free speech could negatively affect the meaningful participation of independent groups, activists, and experts at COP29.

### **Stifling Climate Activism**

It is difficult to imagine how any Azerbaijani groups or journalists could openly critique the government's climate policies and demand action on Azerbaijan's commitments under the 2015 Paris Agreement. Azerbaijani authorities' decades-long pattern of retaliating against critics limits robust and ambitious climate activism in the country.

Despite this, Azerbaijan's environmental activists continue to do important work. They are involved in a variety of initiatives on issues ranging from wastewater clean-up to wildlife protection and deforestation. As noted by a regional manager of an international environmental NGO, they work behind the scenes to get the authorities to address specific incidents such as an oil spill or localized environmental harms.<sup>29</sup> And they have had important successes. The head of Eco-Front, for example, noted in a podcast interview the success the organization had in stopping deforestation for agricultural purposes.<sup>30</sup>

However, there are lines that environmental activists know better than to cross. For example, investigative or policy work on the harms of the fossil fuel industry in Azerbaijan or advocacy for a phase-out of fossil fuels are off-limits. Activism that exposes the fundamental environmental and human rights harms of fossil fuel production and use that could affect the business interests and personal financial interests of top officials would lead to retaliation.

---

<sup>29</sup> Human Rights Watch interview with a regional manager of an environmental NGO, July 17, 2024.

<sup>30</sup> "Greenwashing in Azerbaijan and COP29," OC Media "Caucasus Digest," podcast, May 31, 2024, <https://podcasts.apple.com/us/podcast/the-caucasus-digest/id1633217765?i=1000658481211> (accessed June 1, 2024).

The leader of another international environmental organization with 20 years' experience in Azerbaijan and the wider Caspian basin said that the dearth of activism on the fossil fuel industry is due not to the fact that it would mean challenging a powerful industry, but to the fact that it would mean challenging the political status quo and the interests of Azerbaijan's president, his family, and the surrounding elite. "As long as [activists] they feel their children and their [spouses] are at risk for opening their mouths, they'll think twice," she said.<sup>31</sup>

The price for crossing the line can be steep. Climate activism, with its inherent critique of the fossil fuel industry, is extremely risky in Azerbaijan. The hydrocarbon industry is currently the source of 90 percent of Azerbaijan's export revenues and 51.5 percent of its state budget revenues.<sup>32</sup>

Azerbaijani authorities sent a clear warning to activists who might consider climate activism on April 29, 2024. Police in Baku arrested a well-known human rights defender, Anar Mammadli, two months after he co-founded the Climate of Justice Initiative with an aim to advocate for civic freedoms and environmental justice in Azerbaijan ahead of COP29. He is awaiting trial on spurious smuggling charges and facing up to eight years in jail if convicted.

The criminal prosecution of Dr. Gubad Ibadoghlu, a renowned scholar and anti-corruption activist, also sent a chilling message to others who might be contemplating climate activism in Azerbaijan. Dr. Ibadoghlu's work focused on, among other things, revenue transparency and corruption in Azerbaijan's oil and gas sector. Prior to his arrest in July 2023, he had been researching the EU-Azerbaijan energy cooperation deal. Currently under house arrest, Dr. Ibadoghlu is awaiting trial on bogus charges related to counterfeit currency production and extremism and facing 17 years in jail if convicted.

In June 2023, community activists concerned about environmental issues experienced firsthand the government's violent reaction to environmental protest.

---

<sup>31</sup> Human Rights Watch online interview with Kate Watters, executive director, Crude Accountability, July 9, 2024.

<sup>32</sup> International Energy Agency, "Azerbaijan Energy Profile. Overview," <https://www.iea.org/reports/azerbaijan-energy-profile/overview> (accessed August 23, 2024); Accounting Chamber of the Republic of Azerbaijan, "On the Implementation of the State Budget of the Republic of Azerbaijan for the Year 2023 — Draft Law of the Republic of Azerbaijan and Annual Report on the Implementation of the State Budget of the Republic of Azerbaijan for the Year 2023" 2023\_icra\_rey-227333293.pdf (sai.gov.az), (accessed September 21, 2024);

Residents of Soyudlu, a village in western Azerbaijan, protested against toxic waste from an open-cast gold mine and a planned waste lake.<sup>33</sup> Riot police violently broke up the peaceful protest, injuring dozens. Police restricted access to the village for weeks afterwards, while journalists were expelled and their phones were confiscated. Authorities sentenced eight villagers on administrative charges for involvement in the protests and pursued spurious criminal charges against three others.

The chilling effect of the state's response to the few instances of climate activism cannot be underestimated. As noted above, whoever dares to speak out against the fossil fuel industry under these conditions, when the Azerbaijani oil and gas industry provides most of the government's revenue, is taking on enormous risks.

---

<sup>33</sup> Human Rights Watch, *World Report 2024*, Azerbaijan chapter, <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan>.



## New Wave of Arrests and Convictions of Activists, Journalists, and Others

Since late 2022, the Azerbaijani government has intensified its crackdown on critics and independent voices with a new wave of arrests. Authorities have arrested human rights defenders, political activists, journalists, independent researchers, and others on spurious charges in retaliation for their criticism and refusal to let the government's various restrictions on NGOs and media prevent them from doing their legitimate NGO and journalism work. The same is true of journalists striving to continue reporting inside Azerbaijan. Many of those detained face criminal smuggling charges related to bringing money into the country and colluding to do so in two large cases involving media outlets: Toplum TV and Abzas Media.<sup>34</sup> Spurious charges brought against them and other leading NGO activists include illegal entrepreneurship, counterfeiting, tax evasion, and other financial offences, as well as extremism and drug-related crimes.

These arrests take place in the context of an anti-Western campaign by Azerbaijani officials. A handful of pro-government and state media outlets have accused USAID, the US government's primary funding and development agency, and the US Embassy in Baku of building a network of spies in Azerbaijan through educational programs in place since 1993.<sup>35</sup> Azerbaijan's Foreign Ministry summoned diplomats from the German, US, and French embassies on November 28, 2023 to accuse them of engaging in illegal financing of initiatives such as Abzas Media. The embassies rejected the accusations.<sup>36</sup>

The authorities have also detained independent activists for actions such as participating in public protests or giving media interviews and using social media to criticize the government, including statements in defense of other arrested activists, exposing police brutality and fabrication of cases, and alleging government corruption.<sup>37</sup> For example, as detailed below, authorities arrested and prosecuted four

---

<sup>34</sup> Criminal Code of Azerbaijan, art. 206.3.2 (smuggling - committed by a group of persons who colluded in advance).

<sup>35</sup> "The US is updating its sabotage technologies, forming compact, flexible squads," *Report News Agency*, November 21, 2023, [in Azerbaijani], <https://report.az/analitika/abs-texribat-texnologiyalarini-yenileyir-yigcam-cevik-desteler-formalasdirlir/> (accessed August 17, 2024).

<sup>36</sup> "No: 678/23, Press Information on the Summoning of the US and German Temporary Chargé d'affaires in Our Country, the French Ambassador to the Ministry of Foreign Affairs," Ministry of Foreign Affairs of Azerbaijan, November 29, 2023, <https://mfa.gov.az/az/news/no67823> (accessed September 8, 2024). Arzu Geybulla, "Even More Journalists Arrested in Azerbaijan," commentary, Human Rights Watch dispatch, December 5, 2023. <https://www.hrw.org/news/2023/12/05/even-more-journalists-arrested-azerbaijan>.

<sup>37</sup> Human Rights Watch, *World Report 2024*, Azerbaijan chapter, <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan>.

labor rights activists and leaders of the Workers' Table Trade Union Confederation for criticizing changes in legislation regulating vehicles that severely impacted food delivery couriers' livelihoods. They organized a public protest against this legislation in Baku on August 1, 2023, in which three of them participated. The authorities subsequently brought fabricated assault charges against one of them, and false criminal drug charges against the others.

Authorities also frequently use administrative charges and detentions to harass and punish activists. Some of the individuals whose criminal cases are documented in this report had been convicted in administrative court proceedings and served 30-day detentions prior to the criminal cases brought against them. The government has targeted dozens of others in this way as well.<sup>38</sup>

The government has also used reprisals against family members. The authorities have banned family members of imprisoned individuals from leaving the country and in some cases even frozen the assets of family members, including bank accounts and pension cards.<sup>39</sup> It is not within the scope of this report to elaborate on each of these individual cases, but they reflect the far-reaching and varied tactics authorities use to silence critical voices.

## Human Rights and Political Activists

### *Bakhtiyar Hajiyev*

In April 2022, masked men kidnapped Bakhtiyar Hajiyev, a prominent opposition activist and former parliamentary candidate, took him to an undisclosed location, and blindfolded, beat, and threatened to kill him if he continued to publicly criticize Azerbaijani Minister of Interior Vilayat Eyvazov. After Hajiyev publicized the incident, Eyvazov met with him and the authorities launched an investigation. Hajiyev received no official documentation about the status of the investigation.<sup>40</sup> In August 2022,

---

<sup>38</sup> The Election Monitoring and Democracy Studies Center (EMDS) documented 38 cases of administrative arrests in 2023 on charges of hooliganism, resisting police, and posting prohibited information online. EMDS, "Politically Motivated Arrests Annual Fact Sheet-2023," undated, <https://smdtaz.org/wp-content/uploads/2024/01/fact-sheet-2023.pdf> (accessed August 23, 2024).

<sup>39</sup> "Galib Togrul: The Exit of my Brothers and Relatives from the Country has been Restricted," Radio Free Europe Azerbaijan Service, September 5, 2023, <https://www.amerikaninsesi.org/a/7254749.html> (accessed August 17, 2024); Kuran Mahmudov, "There is no Legal Explanation for Arresting the Pension Cards of Journalists' Family Members," Turan, January 7, 2024, <https://turan.az/az/insan-huquqlari/jurnalistlerin-aile-uzvlerinin-pensiya-karti-uzerine-hebs-qoyulmasinin-hec-bir-huquqi-izahi-yoxdur-775988> (accessed August 17, 2024).

<sup>40</sup> Rufat Safarov, a human rights defender and Hajiyev's friend, believes the investigation was most likely closed or paused, given how much time has passed. Human Rights Watch telephone interview with Rufat Safarov, July 23, 2024.

police briefly detained Hajiyev, and a senior police official allegedly threatened him with reprisals if he continued criticizing the minister.<sup>41</sup>

In December 2022, authorities arrested Hajiyev on hooliganism and contempt charges, which Hajiyev denies. Since then, additional charges have been levelled against Hajiyev, including illegal entrepreneurship, money laundering, smuggling, tax evasion, forgery or illegal manufacture of official documents, and use of deliberately forged documents, bringing the total number of charges to eight.<sup>42</sup> An activist who read the charge sheet told Freedom Now that it alleged, among other things, that Hajiyev had been operating an organization without registration.<sup>43</sup>

Hajiyev’s trial began in January 2024, and hearings were ongoing at time of writing. He remained in pretrial custody.<sup>44</sup>

In February 2024, accounts on two social media platforms leaked intimate photos and messages—some of them fake, others apparently stolen from Hajiyev’s private Facebook account—in what appeared to be an effort to smear his reputation. In previous years, Hajiyev repeatedly has been subjected to politically motivated prosecution and other harassment for his human rights advocacy and criticism of the authorities.<sup>45</sup> As described below, authorities had refused to register two organizations he had founded with his colleague Rail Abbasov.

### *Rail Abbasov*

Rail Abbasov is a human rights activist and long-time associate of Bakhtiyar Hajiyev. They had sought to register two NGOs together in 2022. After Hajiyev’s arrest in December 2022, Abbasov led a public campaign for Hajiyev’s release and visited him regularly in custody.<sup>46</sup> Abbasov reported that on June 6, 2023, “police called me,

---

<sup>41</sup> Submission to the Universal Periodic Review of Azerbaijan, 44th Session of the UN Universal Periodic Review, Human Rights Watch, <https://www.hrw.org/news/2023/04/05/submission-universal-periodic-review-azerbaijan>.

<sup>42</sup> Human Rights Watch telephone interviews with Rufat Safarov, July 23, 2024, and with lawyer Elchin Sadigov, July 25, 2024.

<sup>43</sup> Freedom Now online interview with one of the co-founders of a legal defense organization, details withheld.

<sup>44</sup> Human Rights Watch telephone interview with lawyer Elchin Sadigov, July 25, 2024.

<sup>45</sup> For example, in early 2011, Hajiev was detained in advance of political protests which he promoted on social media and was convicted of draft evasion; he was released on parole in June 2012. “Azerbaijan: Wrongfully Imprisoned Blogger Released,” Human Rights Watch news release, June 4, 2012, <https://www.hrw.org/news/2012/06/04/azerbaijan-wrongfully-imprisoned-blogger-released>.

<sup>46</sup> Freedom Now interview with Rail Abbasov, Baku, July 26, 2023.

summoned me to the police [station], and then searched my apartment. The police took documents, a laptop, and questioned me ... for more than eight hours.”<sup>47</sup>

On September 19, 2023, Baku’s Nasimi district police detained Abbasov and initially questioned him as a witness. Later in the evening, he was held as a suspect on charges of large-scale fraud. A court sent him to pretrial detention. Abbasov pleaded not guilty. Abbasov’s trial was ongoing at time of writing. He remained in pretrial custody.<sup>48</sup>

The charges against Abbasov relate to a real estate deal and a meeting between Abbasov and the buyer, at the end of which the buyer gave Abbasov a bag of chocolates, Abbasov’s lawyer, Elchin Sadigov, said.<sup>49</sup> The police allege that the bag contained cash. The court has refused to acknowledge or grant Sadigov’s requests to review relevant official bank transactions for any evidence the buyer had received cash before meeting Abbasov.<sup>50</sup>

### *Gubad Ibadoghlu*

Gubad Ibadoghlu is a prominent academic, a critic of Azerbaijan’s oil and gas industry, and anti-corruption expert. In July 2023, 20 Azerbaijani police in plain clothes arrested Ibadoghlu and his wife, Irada Bayramova, after civilian cars rammed their vehicle and manufactured a traffic accident. Police assaulted Ibadoghlu and Bayramova during the arrest, and Bayramova had visible bruises as a result.<sup>51</sup> Bayramova was released several hours later.<sup>52</sup>

The authorities charged Ibadoghlu with crimes involving counterfeit money and distributing extremist religious materials related to the Fethullah Gülen movement. He

---

<sup>47</sup> Freedom Now interview with Rail Abbasov, Baku, July 26, 2023.

<sup>48</sup> Human Rights Watch telephone interview with Elchin Sadigov, July 25, 2024

<sup>49</sup> Human Rights Watch telephone interview with lawyer Elchin Sadigov, July 22, 2024.

<sup>50</sup> Ibid.

<sup>51</sup> “Azerbaijan: Arrest of Democracy Advocate,” Human Rights Watch news release, August 9, 2024. <https://www.hrw.org/news/2023/08/09/azerbaijan-arrest-democracy-advocate> and “Azerbaijan: Opposition Leader Arrested,” Human Rights Watch news release, July 25, 2023

<https://www.hrw.org/news/2023/07/25/azerbaijan-opposition-leader-arrested>.

<sup>52</sup> “Azerbaijan: Arrest of Democracy Advocate,” Human Rights Watch news release, August 9, 2023.

faces up to 17 years in prison if convicted.<sup>53</sup> He is currently under house arrest awaiting trial. In August, the prosecutor's office suspended his trial, citing Ibadoghlu's health.<sup>54</sup>

Ibadoghlu lives with Type-2 diabetes, uncontrolled hypertension (high blood pressure) that has caused system damage including aortic root dilation, and severe back pain. Prior to his detention, Ibadoghlu managed these chronic health conditions through nine medications daily, a balanced diet, and daily walks. However, according to his family and lawyers, these conditions deteriorated sharply during his nine months of pretrial detention as a result of authorities' refusal to provide him with adequate medical treatment in custody.<sup>55</sup>

Among Ibadoghlu's areas of expertise is corruption in Azerbaijan's state oil and gas sector (see text box above). In the months before his arrest, Ibadoghlu had been conducting research on alleged corruption in government demining and reconstruction projects in Nagorno-Karabakh. Previously, Ibadoghlu had been a leading figure at the Economic Research Center (ERC), an NGO researching public finance management, good governance, and budget transparency. In 2014, in conjunction with the government's sweeping investigation into international donors and their grantees, the authorities froze ERC's and Ibadoghlu's bank accounts, forcing the ERC to stop operations. Although a court unfroze the accounts in 2016, authorities refused to register a 2014 grant issued to the ERC and levied significant tax fines on the funds.<sup>56</sup> Ibadoghlu had been living mainly in exile since 2015 and was arrested during a trip to Baku to visit his ailing mother.

---

<sup>53</sup> Criminal Code of Azerbaijan, art. 204.3.1 (Manufacturing with a view of selling and selling of counterfeit money, state securities, or foreign currency or securities in a foreign currency by an organized group), and art. 167.3.1 (Preparation, storage, or distribution of extremist religious materials). Joint open letter from Human Rights Watch and three other organizations to Marija Pejčinović Burić, Secretary General of the Council of Europe, on the case of Dr Gubad Ibadoghlu, March 27, 2024, <https://www.hrw.org/news/2024/03/28/joint-open-letter-council-europe-secretary-general-case-dr-gubad-ibadoghlu>.

<sup>54</sup> Electronic communication with Gubad Ibadoghlu's family, August 13, 2024.

<sup>55</sup> Joint open letter from Human Rights Watch and three other organizations to Marija Pejčinović Burić, Secretary General of the Council of Europe, on the case of Dr Gubad Ibadoghlu; "Azerbaijan: Arrest of Democracy Advocate," Human Rights Watch news release, August 9, 2024, <https://www.hrw.org/news/2023/08/09/azerbaijan-arrest-democracy-advocate>. In September 2023, the European Court of Human Rights issued interim measures asking the government to take urgent steps to protect Ibadoghlu's health. Human Rights Watch, *World Report 2024*, Azerbaijan chapter <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan>.

<sup>56</sup> *Harassed, Imprisoned, Exiled: Azerbaijan's Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, Human Rights Watch, October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown-government-critics>; "Azerbaijan: Arrest of Democracy Advocate," Human Rights Watch news release, August 9, 2023, <https://www.hrw.org/news/2023/08/09/azerbaijan-arrest-democracy-advocate>.

### *Fazil Gasimov*

Authorities arrested Fariz Gasimov, 38, in Baku in August 2023, following his deportation from Istanbul, where he was pursuing a PhD degree at Istanbul University. At the time, his arrest was linked to an ongoing investigation against Gubad Ibadoghlu. Gasimov is facing currency counterfeiting charges and has been in pretrial detention since his arrest. He has been on a hunger strike since June 2024. In letters addressed to various state institutions in Azerbaijan, Gasimov described the torture he was subject to while in detention to force him to sign a false confession against Ibadoghlu. During his trial, which was ongoing at time of writing, Gasimov testified to the court what he had written in these letters. He said that he was being subjected to torture and ongoing threats and intimidation in detention. He said that employees of the Main Organized Crime Department put his head in the toilet, electroshocked him, forced him to drink liquid spiked with psychotropic medication, and threatened to rape his mother unless he gave incriminating testimony against Ibadoghlu. According to Gasimov's lawyer, the court accepted new testimony in which Gasimov stated that his incriminating testimony had been coerced under duress. In April 2024, Gasimov's case was separated from that of Ibadoghlu. His trial continues while his health condition is critical due to the ongoing hunger strike. In September, the court rejected Gasimov's motion to transfer him to house arrest.<sup>57</sup>

### *Ilhamiz Guliyev*

Ilhamiz Guliyev is a lawyer who worked for the Institute for Citizens' Rights, an NGO that provides legal assistance to members of marginalized groups. Between 2001 and 2013, Guliyev worked as an independent contractor with local law enforcement as a translator, assistant investigator, and assistant to the heads of several district police departments.

On December 4, 2023, Baku's Yasamal district police detained Guliyev on charges of large-scale drug trafficking.<sup>58</sup> A Baku court sent him to pretrial detention, where he remains at time of writing.

Guliyev had been arbitrarily arrested just a few months before. He had given an interview in September 2023 to Abzas Media, in which his full identity was withheld and he was identified only as a former police officer with his voice altered. The

---

<sup>57</sup> Human Rights Watch interview with lawyer Rovhsana Rahimli, August 28, 2024

<sup>58</sup> "Activist Ilhamiz Guliyev Detained," Turan, April 12, 2023, <https://turanaz/en/politics/activist-ilhamiz-guliyev-detained-774990> (accessed August 23, 2024).

interview detailed how police officers planted drugs on political activists in order to bring charges against them in retaliation for their activism. A week later, six plainclothes officers accosted Guliyev, forced him into a car, and took him first to an unknown location and then to a police station. Guliyev alleges that during his arrest, police hit him on the head and injured him. He was then sentenced to 30 days' administrative detention on fabricated charges of disobeying police and petty hooliganism. On November 25, 2023, when Guliyev tried to leave the country, he found out that he was under a temporary travel ban, and days later, police arrested him on drug-related charges.<sup>59</sup>

### *Tofiq Yagublu*

Tofiq Yagublu is a member of the opposition Musavat Party and a senior politician in the National Council of Democratic Forces, a coalition of opposition parties and activists in Azerbaijan. On December 14, 2023, police arrested Yagublu as he exited a Baku metro station. The authorities charged him with forgery and fraud, and he remains in pretrial custody at time of writing.<sup>60</sup>

On the day of the arrest, police searched Yagublu's home, where they claim to have found in his bed €5,000 (US\$5,465), 2,500 Azerbaijani manat (US\$1,500), and an unspecified amount in US dollars. Yagublu's family deny having had the money in their possession, and believe police planted it during the search. Yagublu rejects all accusations and says that he has been targeted because of his political activism. His trial in the Baku Grave Crimes Court began on June 14, 2024.<sup>61</sup>

According to Yagublu's family, during the first two weeks of his detention, prison authorities denied him medical treatment and access to a doctor, despite their numerous requests. Following public outcry, the authorities granted Yagublu access to a doctor and necessary medication.<sup>62</sup>

---

<sup>59</sup> Human Rights Watch review of the court indictment dated April 4, 2024, on file with Human Rights Watch, and Human Rights Watch interview with lawyer Zibeyde Sadighova, July 26, 2024.

<sup>60</sup> Human Rights Watch telephone interview with Yagublu's daughter, Nigar Hezi, July 25, 2024; "Azerbaijan: Prominent Opposition Figure Arrested," Human Rights Watch news release, December 19, 2023, <https://www.hrw.org/news/2023/12/19/azerbaijan-prominent-opposition-figure-arrested>.

<sup>61</sup> Nigar Hezi Facebook post, June 13, 2024,

[https://www.facebook.com/nigar.yaqublu.3/posts/pfbidoMVvwqGcq1yFY9KfBXGnum5Z7yjipynixWQ3KdFk3xyFf54rvyrPgxqt3h4nMfqKGI?\\_\\_cft\\_\\_\[o\]=AZVV08nAR6WiN8K1hIbnrvxpJ1\\_Ua15PCCBkixDGhEK6feX5LtZiWiZUIBFe\\_GvEc8RRKeH66-71AZVDkC5Yc-6C10x1v-s9tb8HjITHcF1swBbEnl4uDUYestf7ZooJJDUR4VSVCLnyyZxyoEpJzw6oZD6pggz6oi9NcyZjEUqwUwL1A89NyX4YqhlqocRsfI NJWGXYP0e5K-gNO3XsSmH&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/nigar.yaqublu.3/posts/pfbidoMVvwqGcq1yFY9KfBXGnum5Z7yjipynixWQ3KdFk3xyFf54rvyrPgxqt3h4nMfqKGI?__cft__[o]=AZVV08nAR6WiN8K1hIbnrvxpJ1_Ua15PCCBkixDGhEK6feX5LtZiWiZUIBFe_GvEc8RRKeH66-71AZVDkC5Yc-6C10x1v-s9tb8HjITHcF1swBbEnl4uDUYestf7ZooJJDUR4VSVCLnyyZxyoEpJzw6oZD6pggz6oi9NcyZjEUqwUwL1A89NyX4YqhlqocRsfI NJWGXYP0e5K-gNO3XsSmH&__tn__=%2CO%2CP-R) (accessed July 26, 2024)

<sup>62</sup> Human Rights Watch telephone interview with Yagublu's daughter, Nigar Hezi, July 25, 2024.

Azerbaijani authorities had previously arrested Yagublu repeatedly, subjected him to ill-treatment, and warned him to stop his political activism.<sup>63</sup> Yagublu was imprisoned on spurious incitement charges from 2013 to 2016. In 2020, a court sentenced him to four years and three months on bogus hooliganism charges;<sup>64</sup> a court later replaced this with a conditional sentence and released him.<sup>65</sup> In 2016, the European Court of Human Rights ruled that Azerbaijan had arbitrarily detained Yagublu in pretrial custody.<sup>66</sup> In 2021, he was severely beaten in police custody, after the authorities violently dispersed a peaceful protest in central Baku and detained dozens, including Yagublu.<sup>67</sup>

### *Anar Mammadli*

Anar Mammadli leads the Election Monitoring and Democracy Studies Center and is a founding member of the Climate Justice Initiative, a civil society undertaking that seeks to advocate for civic freedoms and environmental justice in conjunction with COP29. According to people close to Mammadli and media reports, police forced him into a car in Baku on April 29, 2024 and detained him. He was charged with currency smuggling and sent to pretrial custody.<sup>68</sup> Police searched Mammadli's home and that of his parents, refusing to allow his lawyer to be present during either search. Mammadli's case has reportedly been joined to that of several Abzas Media journalists (see below), according to media reports.<sup>69</sup>

---

<sup>63</sup> "Azerbaijan: Prominent Opposition Figure Arrested," Human Rights Watch news release, December 19, 2023.

<sup>64</sup> Giorgi Gogia, "Opposition Leader Convicted in Azerbaijan," commentary, Human Rights Watch dispatch, September 3, 2020, <https://www.hrw.org/news/2020/09/03/opposition-leader-convicted-azerbaijan>.

<sup>65</sup> Human Rights Watch, *World Report 2022*, Azerbaijan chapter, <https://www.hrw.org/world-report/2022/country-chapters/azerbaijan>.

<sup>66</sup> Yagublu complained that he was arrested and detained in the absence of a "reasonable suspicion" that he had committed a criminal offence, and the court agreed: "[T]he Court finds that the material put before it does not meet the minimum standard set by Article 5 § 1 (c) of the Convention for the reasonableness of a suspicion required for an individual's arrest and continued detention." *Yagublu v. Azerbaijan* (Application no. 31709/13), Judgment of February 5, 2016, <https://hudoc.echr.coe.int/eng?i=001-158506> (accessed August 23, 2024).

<sup>67</sup> "Azerbaijan: Opposition Leader Beaten in Custody," Human Rights Watch news release, December 3, 2021, <https://www.hrw.org/news/2021/12/03/azerbaijan-opposition-leader-beaten-custody>.

<sup>68</sup> Criminal Code of Azerbaijan, art. 206.3.2; "Azerbaijan: Free Jailed Human Rights Defender," Human Rights Watch news release, May 2, 2024, <https://www.hrw.org/news/2024/05/02/azerbaijan-free-jailed-human-rights-defender>; "Anar Mammadli is the Latest Victim of Azerbaijan's Intensified Crackdown against Civil Society: Mammadli Should be Released Immediately," Human Rights House Foundation statement, April 30, 2024, <https://humanrightshouse.org/statements/human-rights-defender-anar-mammadli-is-the-latest-victim-of-azerbaijans-intensified-crackdown-against-civil-society-mammadli-should-be-released-immediately/> (accessed August 12, 2024).

<sup>69</sup> "Anar Mammadli was Arrested for Four Months," Turan News Agency, <https://turan.az/az/siyaset/anar-memmedli-4-ay-muddetine-hebs-edilib> (accessed July 25, 2024).



Mammadli was previously prosecuted in 2013, in retaliation for election-related work, on charges related to the financing of the Election Monitoring and Democracy Studies Center, which was unregistered at the time.<sup>70</sup> Mammadli served two-and-a-half years in prison. The European Court of Human Rights found that his prosecution and imprisonment were designed to “silence and punish” him for his election monitoring work.<sup>71</sup>

The politically motivated prosecutions against Mammadli are directly linked to the government’s refusal to allow the legal functioning of the two NGOs he founded, leaving Mammadli, like others, with few options to carry out their legitimate human rights work. Mammadli founded the Election Monitoring Center in 2006. After extensive efforts, the Ministry of Justice registered the organization in February 2008. Two months later, the ministry claimed that the group failed to notify them of a change in its legal address, among other alleged breaches of the NGO law, and petitioned a court, requesting its dissolution. A Baku court satisfied the request and annulled the registration. A 2022 European Court of Human Rights judgment found the dissolution was unlawful and interfered with the right to freedom of association.<sup>72</sup> With the Election Monitoring Center’s dissolution, Mammadli opened the Election Monitoring and Democracy Studies Center in 2009, which the authorities refused to register. Mammadli unsuccessfully appealed the refusal in court and applied to the European Court of Human Rights.<sup>73</sup> As of this writing, Mammadli’s application is pending.

### *Akif Gurbanov and Five Other NGO Activists*

On March 6, 2024, authorities detained Akif Gurbanov, chair of the Institute for Democratic Initiatives (IDI), an independent, unregistered NGO, on smuggling charges.<sup>74</sup> Police searched his home and raided the office of IDI and Platform III Republic, a political initiative he recently formed. Following the search, police claimed to have found €30,000 (US\$32,700) at Platform III Republic’s office, an allegation Gurbanov and other members of the initiative deny.

---

<sup>70</sup> Criminal Code of Azerbaijan, arts. 192.2.2 (illegal entrepreneurship), 213.1 (large-scale tax evasion) and 308.2 (abuse of power); European Court of Human Rights, *Mammadli v. Azerbaijan* (Application no. 47145/14), Judgment of July 19, 2018, <https://hudoc.echr.coe.int/eng#%22itemid%22:%22001-182178%22>] (accessed August 12, 2024).

<sup>71</sup> *Mammadli v. Azerbaijan*, (Application No. 34445/04), Judgment of July 19, 2018, <https://hudoc.echr.coe.int/eng#%22itemid%22:%22001-182178%22>] (accessed August 17, 2024), para. 104.

<sup>72</sup> *Ibid.*

<sup>73</sup> Freedom Now interview with Anar Mammadli, Baku, July 25, 2023.

<sup>74</sup> “Court issues arrest warrants for those detained in connection with Toplum TV,” Voice of America Azerbaijan Service, March 8, 2024, [in Azerbaijani], <https://www.amerikaninsesi.org/a/7519450.html> (accessed August 26, 2024).

Police also detained the other founders of Platform III Republic, Ruslan Izzatli and Araz Aliyev. A court remanded Izzatli to pretrial custody, also on smuggling charges, and he remains in detention at time of writing.<sup>75</sup> Police released Aliyev without charges.

On March 6, police also detained IDI staff members Ali Zeynal, Ilkin Amrahov, and Ramil Babayev, and charged them with smuggling. They remain in pretrial custody.<sup>76</sup> IDI and Platform III Republic shared office space and worked closely with the independent media outlet co-founded by Gurbanov, Toplum TV, which was also raided, as described below.

The Ministry of Justice had denied the Institute for Democratic Initiatives registration in 2014. A 2021 European Court of Human Rights ruling found that the denial violated the right to association.<sup>77</sup> In a July 2023 interview Gurbanov said, “NGO members are in constant fear of authorities’ reprisals,” referring to unregistered NGOs attempting to pursue legitimate human rights work in the face of the government’s refusal to register them and its many restrictions.<sup>78</sup>

### *Imran Aliyev*

Imran Aliyev has been engaged in civic activism since 2007, providing digital security support to local groups. In 2021, together with a colleague, Aliyev set up an online platform: meclis.info. The platform publishes regular reports, based on monitoring of Azerbaijan’s parliament, analyzing parliamentarians’ statements and discussions about draft legislation and the adoption of laws.

The government tried to intimidate and exert pressure on Aliyev in 2018 and 2022.

In April 2024, authorities detained Aliyev at the Heydar Aliyev International Airport and charged him with smuggling. In a video address posted on Facebook from the airport, Aliyev explained that the pro-government media website Qafqaz.info had published an

---

<sup>75</sup> Arzu Geybulla, “New Wave of Arrests Targets Journalists and Activists in Azerbaijan,” commentary, Human Rights Watch dispatch, March 7, 2024, <https://www.hrw.org/news/2024/03/07/new-wave-arrests-targets-journalists-and-activists-azerbaijan>.

<sup>76</sup> Human Rights Watch separate online interviews with Rovshana Rahimli and Fariz Namazli, August 13, 2024.

<sup>77</sup> *Abdullaev and Others v. Azerbaijan*, application nos. 69466/14 and 12 others, Judgment of May 20, 2021, <https://hudoc.echr.coe.int/fre?i=001-210018> (accessed August 12, 2024). According to web pages saved by the Internet Archive on April 20, 2024, IDI stated on their website that the Ministry of Justice had rejected their registration application, that Azerbaijani courts upheld the ministry’s decision, and that *Abdullayev and Others v. Azerbaijan* found that the ministry’s action violated the right to freedom of association. <https://web.archive.org/web/20240420103258/https://idi-aze.org/en/page/about-page> (archived on April 20, 2024, accessed August 31, 2024).

<sup>78</sup> Freedom Now online interview with Akif Gurbanov, June 13, 2023, and interview, Baku, July 25, 2023.

unfounded story, alleging he was involved in a smuggling scheme related to Toplum TV and Abzas Media, which prompted his decision to leave the country.<sup>79</sup> Prior to his arrest he was not summoned for questioning in either of the cases. He has been in pretrial custody since his arrest.

During his pretrial custody hearing, Aliyev alleged that police had subjected him to electric shocks in detention. According to sources close to his case, guards allegedly beat Aliyev and again subjected him to electric shocks after the hearing. His lawyer filed a complaint regarding the ill-treatment, but the authorities had not responded at time of writing.<sup>80</sup>

### *Bahrüz Samadov*

Bahrüz Samadov, 29, a Ph.D. candidate at Prague's Charles University, is a regular contributor to numerous international and regional publications and media, often writing critical pieces about political developments in Azerbaijan. He was also among a handful of voices that dared to criticize the Second Karabakh War, fought in 2020, in which Azerbaijan reestablished control over Nagorno-Karabakh, and wrote about retaliation against anti-war advocates.<sup>81</sup>

The authorities arrested Samadov on August 21, 2024, while he was visiting Baku during the summer break to spend time with his grandmother. Several state security service officers searched his house and confiscated two mobile devices, two laptops, university diplomas, Samadov's identity card, and passport.<sup>82</sup>

The authorities charged Samadov with treason and on August 23, a Baku court ordered his detention for four months of pretrial custody, which the Baku Court of Appeals upheld on August 27. The authorities claimed that Samadov communicated sensitive information to Armenian nationals via WhatsApp Messenger and acted on their orders.<sup>83</sup>

---

<sup>79</sup> Imran Aliyev shared a personal video from the airport after he was informed that he could not leave the country: <https://www.facebook.com/100073016640074/videos/pcb.451045534005998/1457837995107469>; "New facts in the investigation launched against Abzas Media and Toplum TV," Qafqaz.info, April 18, 2024, <https://qafqazinfo.az/news/detail/abzas-media-ve-toplum-tv-isinde-yeni-faktlar-433293> (accessed August 24, 2024).

<sup>80</sup> Human Rights Watch interview, July 26, 2024, details withheld.

<sup>81</sup> Bahrüz Samadov, "Perspectives | Azerbaijan's Peace Activists Face Harassment, and a Reckoning," Eurasianet.org, November 20, 2020, <https://eurasianet.org/perspectives-azerbajjans-peace-activists-face-harassment-and-a-reckoning> (accessed September 7, 2024).

<sup>82</sup> Human Rights Watch telephone interview with Samadov's grandmother, Zibeyde Osmanova, September 5, 2024.

<sup>83</sup> Human Rights Watch telephone interview with Samadov's lawyer, Zibeyde Sadighova, September 5, 2024.

During the custody hearing, Samadov adamantly denied the charges, stating that he had no sensitive information to disclose and that he had not acted on anyone's orders. He also said that he is a "prisoner of peace," as he is firmly against wars and people dying because of them.<sup>84</sup> Samadov was among the signatories of a peace statement in early October 2020.<sup>85</sup> He has been called a "traitor" and otherwise harassed online in retaliation for his activism.

### *Igbal Abilov*

On July 22, 2024, the authorities arrested Igbal Abilov, 34, a member of the Talysh minority ethnic group who studied ethnic minorities.<sup>86</sup> He is one of the founders of the Talysh National Academy, established in 2010, and the editor-in-chief of its namesake publication.

Abilov, who lives in Belarus, was visiting Azerbaijan for his cousin's wedding. When he tried to return to Belarus at the end of June, border officials refused to allow him to leave the country and told him he was under a travel ban.<sup>87</sup> A few weeks later, police arrested Abilov in his village and a Baku court sent him to pretrial custody pending investigation into charges of treason, sedition based on the orders of foreign actors, and inciting national, racial, social, or religious hatred and enmity. A pro-government media outlet accused him of acting on behalf of Armenia's national security services, citing an alleged conversation with an academic in Armenia, among other things.<sup>88</sup>

## Journalists and Media Outlets

### *Abzas Media*

In November 2023, Azerbaijani authorities arrested Ulvi Hasanli and Sevinc Vagifgizi, top leaders of Abzas Media, an independent media outlet covering Azerbaijan and well-known for publishing investigations into the corruption of high-ranking officials. They also arrested Abzas Media journalists Nargiz Absalamova, Elnara Gasimova, Mahammad Kekalov, and Hafiz Babali.

---

<sup>84</sup> Ibid.

<sup>85</sup> "Peace Statement," OC-media.org, October 6, 2020, <https://oc-media.org/peace-statement/> (accessed September 7, 2024).

<sup>86</sup> Aytan Farhadova, "Talysh Researcher Arrested for 'Treason' in Azerbaijan," OC-media.org, July 25, 2024, <https://oc-media.org/talysh-researcher-arrested-for-treason-in-azerbaijan/> (accessed September 11, 2024).

<sup>87</sup> Human Rights Watch online interview with lawyer Rovshana Rahimli, September 5, 2024.

<sup>88</sup> "Igbal Abilov's Arrest Details Revealed – Secret Transactions with Armenia," Qavqazinfo.az, July 25, 2024, [in Azerbaijani], <https://qafqazinfo.az/news/detail/igbal-ebilovun-hebs-detallari-melum-oldu-ermenistanla-gizli-sovdelesemeler-442658> (accessed September 7, 2024).

The prosecutor's office alleges that the six conspired to smuggle large amounts of money into Azerbaijan. When police searched Hasanli's home and the Abzas Media offices, they claimed to have found €40,000 (US\$43,700) in cash. Hasanli said the money was planted, and the journalists deny the smuggling allegations. They believe they have been targeted for their work.<sup>89</sup> All six remain in pretrial detention.

Masked police officers detained Hasanli on November 20 at his home, ahead of a planned work trip. Hasanli alleged that police ill-treated him during and following his detention and his lawyer confirmed that she saw bruises on his face.<sup>90</sup> A day later, the authorities arrested Vagifgizi when her flight landed in Baku. Police detained Kekalov on November 20 at his home. His whereabouts were unknown until November 22, when the Interior Ministry confirmed his detention.<sup>91</sup>

On November 23, police summoned Absalamova to the Baku Main Police Department as a witness in the case against Hasanli, Kekalov, and Vagifgizi. On November 30 police summoned her again and detained her, later charging her with smuggling. A court sent her to three months' pretrial custody.<sup>92</sup>

Police questioned Elnara Gasimova, an independent journalist working with Abzas media, as a witness in the same case in November 2023 before arresting her and charging her with smuggling in mid-January 2024.<sup>93</sup>

In late November, police questioned Hafiz Babali, a well-known, prize-winning investigative journalist, as witness in the Abzas Media case. In a media interview after the questioning, he said police asked him about his work with the news outlet, his

---

<sup>89</sup> "Azerbaijan: Crackdown on Independent Media," Human Rights Watch news release, November 22, 2023, <https://www.hrw.org/news/2023/11/22/azerbaijan-crackdown-independent-media>.

<sup>90</sup> "Azerbaijan: Crackdown on Independent Media," Human Rights Watch news release, November 22, 2023, <https://www.hrw.org/news/2023/11/22/azerbaijan-crackdown-independent-media>.

<sup>91</sup> "Azerbaijan: Crackdown on Independent Media," Human Rights Watch news release, November 22, 2023, <https://www.hrw.org/news/2023/11/22/azerbaijan-crackdown-independent-media>.

<sup>92</sup> Arzu Geybulla, "Even More Journalists Arrested in Azerbaijan," Human Rights Watch dispatch, December 5, 2023, <https://www.hrw.org/news/2023/12/05/even-more-journalists-arrested-azerbaijan>.

<sup>93</sup> Meydan TV interview with lawyer Bahruz Babayev, in "Elnara Gasimova: the story of an independent journalist's arrest," Meydan TV, January 19, 2024, <https://www.meydan.tv/en/article/el-nara-gasimova-the-story-of-an-independent-journalists-arrest/> (accessed August 11, 2024); and "Azerbaijan: Abzas Media's journalist Elnara Gasimova arrested by the government," European Federation of Journalists, January 6, 2024, <https://europeanjournalists.org/blog/2024/02/06/azerbaijan-the-efj-calls-on-the-government-to-stop-the-crackdown-on-independent-media/> (accessed August 11, 2024).

personal income, as well as the financing of Abzas Media.<sup>94</sup> In December 2023, police arrested him.<sup>95</sup>

Babali is also the head of the economic news department of Turan News Agency. During his career, he has worked for various news agencies in addition to Abzas Media. They include Radio Free Europe/Radio Liberty, Meydan TV, the channel ASTNA, and Open Azerbaijan, an anti-corruption platform. He has investigated corruption and money laundering among Azerbaijan's political and financial elite.<sup>96</sup>

On December 13, 2023, police detained Babali at the Baku railway station.<sup>97</sup> Police also searched his apartment in Sumgayit and seized his computer, mobile phone, and some documents.<sup>98</sup> Authorities charged Babali with smuggling, and he remains in pretrial custody at time of writing.

On May 29, 2024, police also arrested Farid Mehralizade, an economist who frequently provided commentary to various media outlets, including Abzas Media. On June 1st, a court sent him to three months and 20 days of pretrial detention.<sup>99</sup> Mehralizade also stands accused of smuggling, as part of the group case against Abzas Media. Shortly after his arrest, the outlet issued a statement denying Mehralizade's direct involvement with Abzas Media.<sup>100</sup>

In August 2024, the authorities pressed additional criminal charges against all six Abzas Media journalists and Mehralizade, including tax evasion, forgery of documents

---

<sup>94</sup> "Journalist Hafiz Babali Was Interrogated in Connection with the Criminal Case Opened against Abzas Media," Voice of America Azerbaijan Service, undated, <https://www.youtube.com/watch?v=6-GY1s7E7FQ> (accessed August 11, 2024); and "Azerbaijan: New Crackdown Threatens Civil Society," Freedom Now, January 24, 2024, <https://www.freedom-now.org/azerbaijan-new-crackdown/> (accessed August 11, 2024).

<sup>95</sup> "Free Media Awards: 2019, Hafiz Babali- Azerbaijan," Stiftelsen Fritt Ord, undated, <https://frittord.no/nb/priser/free-media-awards/hafiz-babali-azerbaijan> (accessed August 11, 2024).

<sup>96</sup> "Azerbaijan: New Crackdown Threatens Civil Society," Freedom Now, January 24, 2024, <https://www.freedom-now.org/azerbaijan-new-crackdown/> (accessed August 11, 2024).

<sup>97</sup> "Azerbaijani Journalist Hafiz Babali Latest Arrest in Abzas Media crackdown," Committee to Protect Journalists, December 13, 2023, <https://cpj.org/2023/12/azerbaijani-journalist-hafiz-babali-latest-arrest-in-abzas-media-crackdown/> (accessed August 11, 2024).

<sup>98</sup> "Investigative Journalist Hafiz Babali Detained in Baku," Kavkazkii Uzel, December 13, 2023, <https://www.kavkaz-uzel.eu/articles/395253> (accessed August 11, 2024).

<sup>99</sup> "Farid Mehralizadeh is another arrested in "Abzas media" case," Turan.az, June 1, 2024, <https://turan.az/en/politics/farid-mehralizadeh-is-another-arrested-in-abzas-media-case> (accessed September 22, 2024).

<sup>100</sup> Facebook post by Abzas Media, June 1, 2024, <https://www.facebook.com/AbzasMedia/posts/pfbidokQ4xvj885smiuyDUUCBFEYS4X5rijaMvtsKqtFoegdFX7Zw6VyyqSDgroqNYB8smql> (accessed September 23, 2024).

and the use of forged documents, and money laundering. If convicted on all charges, they face a maximum 20 years in prison.<sup>101</sup>

Abzas Media had been subjected to numerous denial-of-service attacks (DDoS), blocked domestically in 2017, and hacked in April 2020.<sup>102</sup> Most recently, on July 24, 2024, the Ministry of Digital Development and Transportation said access to the platform's website and all of its social media accounts had been blocked per a November 2023 court order. The platform managers said they received no prior warning. Previously Abzas Media's TikTok account was temporarily blocked in the country.<sup>103</sup>

Azerbaijani authorities have targeted Ulvi Hasanli in the past for his civic activism and Sevinc Vagifgizi for her journalism critical of the government.<sup>104</sup> In 2021, Hasanli founded the Young Journalists' Network to train young journalists and teach investigative journalism.<sup>105</sup>

### *Kanal 13*

Azerbaijani authorities have targeted at least three staff of Kanal 13, an independent online media outlet that is often critical of the government and has a large Azerbaijani subscriber base and social media following. On November 28, 2023, authorities detained Aziz Orujov, Kanal 13's founder. They charged him with engaging in illegal construction but, according to his family, police questioned him about his journalism work and funding for that work.<sup>106</sup> A court remanded him to three months' pretrial detention, an excessive measure for anyone facing such charges. In December 2023, the authorities charged him with smuggling. Orujov remains in pretrial detention.

---

<sup>101</sup> Human Rights Watch online interview with lawyer Shahla Humberova, August 16, 2024.

<sup>102</sup> Arzu Geybullayeva, "Independent Media Wage Losing Battle against Censorship in Azerbaijan," *Advox*, March 15, 2024, <https://advox.globalvoices.org/2024/03/15/independent-media-wage-losing-battle-against-censorship-in-azerbaijan/> (accessed September 7, 2024); "Independent News Site Hacked," *Azerbaijan Internet Watch*, April 22, 2020, <https://www.az-netwatch.org/news/independent-news-site-hacked/> (accessed August 12, 2024).

<sup>103</sup> Human Rights Watch telephone interview with Leyla Mustafayeva, July 26, 2024. Two domains have been blocked since November 2023. The court order, a copy of which is on file with Human Rights Watch, mentions that access to the platform's social media accounts has been restricted. See also "E-Security Service: Access to Abzas Media Websites Has Been Restricted with Court Order," *Abzas Media*, July 24, 2024, <https://abzas.info/2024/7/elektron-thluksizlik-xidmtic1c9c333-e/> (accessed August 11, 2024).

<sup>104</sup> "Azerbaijan: Crackdown on Independent Media," *Human Rights Watch* news release, November 22, 2023, <https://www.hrw.org/news/2023/11/22/azerbaijan-crackdown-independent-media>.

<sup>105</sup> *Freedom Now* online interview with Ulvi Hasanli, September 8, 2023.

<sup>106</sup> Arzu Geybulla, "Even More Journalists Arrested in Azerbaijan," *commentary*, *Human Rights Watch* dispatch, December 5, 2023, <https://www.hrw.org/news/2023/12/05/even-more-journalists-arrested-azerbaijan>.

Orujov previously faced politically motivated prosecution. In 2017, he was sentenced to six years on bogus charges of illegal entrepreneurship and abuse of authority related to funding Kanal 13 had allegedly received from abroad and failed to report to the authorities. The Supreme Court released Orujov on a suspended three-year sentence in April 2018.<sup>107</sup>

Baku police arrested Rufat Muradli, a Kanal 13 news host, on December 2, 2023, on charges of misdemeanor hooliganism and resisting police. Police claim he refused to heed police warnings to stop cursing publicly, a dubious charge often invoked against government critics. He served 30 days in detention and was released.<sup>108</sup>

Shamo Eminov is a freelance journalist and contributor to Kanal 13. On December 22, 2023, officers with the Sabail District Police Department arrested him on his way to an interview. Law enforcement authorities also searched his house and seized a laptop. For five days, Eminov's family did not know his whereabouts, and he did not have access to a lawyer of his choosing.<sup>109</sup> The authorities accused him of traveling to Georgia to smuggle money into Azerbaijan. Eminov is a native of Georgia, and had traveled to visit his parents, who live in Georgia, in 2023. The court remanded him to pretrial detention, where he remains at this writing.<sup>110</sup> Eminov's family told a media outlet that police threatened and pressured him during his initial interrogation.<sup>111</sup>

### *Toplum TV*

In March 2024, authorities raided the shared offices of the online news platform Toplum TV and two civil society organizations: the Institute for Democratic Initiatives and Platform III Republic. Akif Gurbanov co-founded all three.

Toplum TV and the organizations worked closely together, with NGO staff training younger journalists and assisting with social media management. The organizations and the criminal prosecution of Gurbanov are described in detail above.

---

<sup>107</sup> Giorgi Gogia, "Azerbaijan Released Wrongly Jailed Journalist," commentary, Human Rights Watch dispatch, April 5, 2018, <https://www.hrw.org/news/2018/04/05/azerbaijan-released-wrongly-jailed-journalist>.

<sup>108</sup> Arzu Geybullayeva, "Even More Journalists Arrested in Azerbaijan," commentary, Human Rights Watch dispatch, December 5, 2023, <https://www.hrw.org/news/2023/12/05/even-more-journalists-arrested-azerbaijan>.

<sup>109</sup> Since December 27, he has had representation of his choice. Human Rights Watch telephone interview with lawyer Elchin Sadigov, July 22, 2024.

<sup>110</sup> *Ibid.*

<sup>111</sup> "Relatives Reported Pressure by Officials on Journalist Eminov," Kavkazkii Uzel, December 27, 2023, <https://www.kavkaz-uzel.eu/articles/395688> (accessed August 11, 2024).



During the March raid, police detained and questioned nine Toplum TV staff members and arrested three journalists: Mushfig Jabbarov, Farid Ismayilov, and Elmir Abbasov. The last two were transferred to house arrest. Authorities charged all three with smuggling.

Farid Ismayilov alleges that he was forced to sign a document under duress during questioning. Police also searched Ismayilov's home and claim to have found €3,100 (US\$3,400) in cash. The search was conducted in the absence of Ismayilov's lawyer. Following the raids, Toplum TV's YouTube and Instagram accounts were hacked and the content deleted.<sup>112</sup>

Toplum TV Editor-in-Chief Khadija Ismayilova said in a statement following the raid: "I only know one thing, that Toplum TV has done nothing against the law, or what would be a cause for a criminal investigation. And [the] sole aim [of the charges] is to silence whatever remains of independent media voicing critical opinions."<sup>113</sup>

Police also arrested Toplum TV co-founder Alasgar Mammadli shortly after the office raid as he was leaving a hospital following medical tests. He also faces smuggling charges, which he refutes.<sup>114</sup> Mammadli remains in pretrial detention.

Mammadli has a number of serious medical conditions, including related to his thyroid, liver, kidney, pancreas, and prostate. His lawyer and family report that he is not receiving adequate medical attention in custody.<sup>115</sup> Only after numerous requests by his family and lawyers, in June 2024, the authorities granted Mammadli's request to undergo a medical examination by a doctor. On June 23, an on-call doctor biopsied a tumor on his thyroid but did not conduct a full medical examination and did not biopsy

---

<sup>112</sup> Arzu Geybullayeva, "New Wave of Arrests Targets Journalists and Activists in Azerbaijan," commentary, Human Rights Watch dispatch, March 7, 2024, <https://www.hrw.org/news/2024/03/07/new-wave-arrests-targets-journalists-and-activists-azerbaijan>.

<sup>113</sup> Khadija Ismayilova interview, Abaz Media Facebook Post, March 6, 2024, <https://www.facebook.com/AbzasMedia/videos/2778977722255108/> (accessed August 11, 2024).

<sup>114</sup> "Alasgar Mammadli was Imprisoned for Four Months," Turan News Agency, May 9, 2024, <https://www.youtube.com/watch?v=4ErZPo5Bydo> (accessed July 26, 2024).

<sup>115</sup> Human Rights Watch gathered information about Alasgar Mammadli's health conditions from public comments about them by Mammadli's brother, Nasimi Mammadli: Facebook post July 8, 2024, [https://www.facebook.com/nesimi.memmedli/posts/pfbido2iPr6Q7CitY27PWE9zTJK7XX2zdZuEDUKbdTCjoRCdipKPqb05g1HL6im1rcfVxal?\\_\\_cft\\_\\_\[o\]=AZXw-fLSNuHQIlgqK8NP\\_SZiXzVVmpb4Ht21\\_YrfXPUFzxwEMRoOeK9HNLv8TtUDcjz042KDP86nJrg-34lSusWncyMeBsmZTbhBX8u-P8j6cmmRZaYWs7qTmGSHB7\\_Eknz4tgBXdrBs6aobhtZpz5o05dqAl1ejoH9LbsbFcCkERZw&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/nesimi.memmedli/posts/pfbido2iPr6Q7CitY27PWE9zTJK7XX2zdZuEDUKbdTCjoRCdipKPqb05g1HL6im1rcfVxal?__cft__[o]=AZXw-fLSNuHQIlgqK8NP_SZiXzVVmpb4Ht21_YrfXPUFzxwEMRoOeK9HNLv8TtUDcjz042KDP86nJrg-34lSusWncyMeBsmZTbhBX8u-P8j6cmmRZaYWs7qTmGSHB7_Eknz4tgBXdrBs6aobhtZpz5o05dqAl1ejoH9LbsbFcCkERZw&__tn__=%2CO%2CP-R) (accessed August 18, 2024) and from sources close to Alasgar Mammadli, names and dates not disclosed to protect their identity.

a larger nodule on his thyroid. Mammadli remained handcuffed throughout the procedure, surrounded by police officers. The biopsy results showed the tumor was benign. However, Mammadli's family feels that the medical report fails to consider the nature of the larger thyroid nodule and his other serious medical conditions and say he needs additional medical tests and possible surgery to remove the throat tumor which causes him difficulty breathing and sleeping.<sup>116</sup>

### *Jamil Mammadli*

Jamil Mammadli is a journalist with 20 years' experience with various media outlets. In the last few years, he worked as an independent journalist covering socio-political issues in northern Azerbaijan and is one of the few independent journalists working in that region. He has published hundreds of videos, and his YouTube channel has 16,500 subscribers and hundreds of thousands of views. Mammadli often has written and spoken about allegations of government corruption.

In January 2023, authorities charged Mammadli with hooliganism in connection with a December 2022 traffic incident. In August 2023, prosecutors brought additional charges of fraud and extortion and transferred him from house arrest to pretrial custody. The prosecution requested his remand to custody, claiming Mammadli was interfering with the legal proceedings by writing posts on social media targeting his alleged accusers. In April 2024, the Sumgait Grave Crimes Court convicted Mammadli of fraud and hooliganism and sentenced him to six years in prison.<sup>117</sup> The Court of Appeal upheld the sentence in June.<sup>118</sup>

A few months prior to his arrest, in September 2022, police took Mammadli to the Ministry of the Interior's Grave Crimes Unit, where Mammadli alleges that an official told him to stop his work or collaborate with the authorities. If he refused, he would be accused of extortion, violating public order, hooliganism, and other crimes. Mammadli refused to comply.<sup>119</sup>

---

<sup>116</sup> Ibid.

<sup>117</sup> Human Rights Watch remote interview with Mammadli's lawyers, Fariz Namazli, July 27, 2024. The court dropped the extortion charge.

<sup>118</sup> "The Court of Appeal Approved The Blogger's Sentence," Azerbaijan News, June 24, 2024, <https://eng.az24saat.org/2024/06/24/the-court-of-appeal-approved-the-bloggers-sentence/#:~:text=On%20April%2017%2C%20the%20Sumgayit%20Serious%20Crimes%20Court,to%206%20years%20and%2012%20days%20in%20prison> (accessed on August 23, 2024). The extortion charge was dropped.

<sup>119</sup> Written summary of the case by his lawyer, as shared with Human Rights Watch on July 27, 2024.

Mammadli had previously faced politically motivated prosecutions related to his journalism. In March 2022, a court sentenced him to 18 months of correctional labor, which is non-custodial and involves community service and periodic check-ins with the police, on slander and insult charges for corruption allegations he made against a district official.<sup>120</sup>

## Trade Union Activists

In August and September 2023, the authorities detained four labor activists and leaders of the Workers' Table Trade Unions Confederation, an initiative of the Democracy 1918 Movement. The union was established in 2022. Three of the activists had participated in an August 1, 2023 protest by food delivery couriers opposed to problematic new registration requirements for vehicles, under which authorities had seized some workers' scooters, impeding delivery workers' livelihoods.<sup>121</sup> As described below, police arrested three of the activists during the first 10 days of August 2023, and arrested the fourth in October 2023.

### *Afiaddin Mammadov*

Police arrested Afiaddin Mammadov, Workers' Table Trade Unions Confederation chair, on August 1, 2023, at the protest. The next day, two courts sentenced him on separate administrative (misdemeanor) charges: one for hooliganism and disobeying an officer; and the other for disobeying a court order to pay an outstanding debt.<sup>122</sup>

He served 30 days in administrative detention. His family told media that the charges were false and that they believe the real reason for his detention was his activism around couriers' rights and participation in the August 1 protest.<sup>123</sup>

---

<sup>120</sup> Human Rights Watch, World Report 2023, Azerbaijan Chapter, <https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>.

<sup>121</sup> Changes adopted to the Law on Traffic, art. 27, which went into effect on August 1, 2023. Arzu Geybullayeva, "In Azerbaijan, couriers are facing intimidation and arrests at the hands of the state," Global Voices, August 15, 2024, <https://globalvoices.org/2023/08/15/in-azerbaijan-couriers-are-facing-intimidation-and-arrests-at-the-hands-of-the-state/> (accessed August 12, 2024).

<sup>122</sup> "Substances Change, Not the Substance," Voice of America, August 6, 2023, <https://www.amerikaninsesi.org/a/7213126.html> (accessed August 21, 2024).

<sup>123</sup> "Afiaddin Mammadov was Sentenced to 30 Days of Administrative Detention," Meydan TV Facebook post, August 2, 2023, [https://www.facebook.com/MeydanTelevision/posts/pfbido2LBp1RFwxC2H5pf6hHYL9HiLSWbYeQ1iZi5ZiQyK1vrK5GstnQw8CsPk63aSATsjl?\\_\\_cft\\_\\_\[o\]=AZUmaFstD63VlFuQtoF3iZOjoDseMuvMQr7WQNbLAY86GUdxCaXtVkmGIOYv1RV4PhEtJg2lYQGbdT-QR-9ldsRQ-Pgoez1bqsJNONwQcNgsdSooJLdlitMywNDoNkow1bfe6ybwOnXT1GWX6KMdkyHUdpvVkrRelv1\\_\\_XA1nLs7-JhY77lP928dAD4Lt78AVBLY8SuGUktD1sQ7KKu-srvlF-&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/MeydanTelevision/posts/pfbido2LBp1RFwxC2H5pf6hHYL9HiLSWbYeQ1iZi5ZiQyK1vrK5GstnQw8CsPk63aSATsjl?__cft__[o]=AZUmaFstD63VlFuQtoF3iZOjoDseMuvMQr7WQNbLAY86GUdxCaXtVkmGIOYv1RV4PhEtJg2lYQGbdT-QR-9ldsRQ-Pgoez1bqsJNONwQcNgsdSooJLdlitMywNDoNkow1bfe6ybwOnXT1GWX6KMdkyHUdpvVkrRelv1__XA1nLs7-JhY77lP928dAD4Lt78AVBLY8SuGUktD1sQ7KKu-srvlF-&__tn__=%2CO%2CP-R) (accessed August 12, 2024).

On September 20, 2023, police arrested Mammadov as he was on his way to a barbershop ahead of a friend's wedding, when an unidentified man tried to pick a fight with him. The man attacked him with a knife, but then alleged that Mammadov had instigated the fight. Authorities charged Mammadov with premeditated infliction of bodily harm and armed hooliganism and a court sent him to pretrial detention. In December, investigators upped the charges against Mammadov to more serious crimes related to bodily injury, illegal possession of weapons, and armed violence.<sup>124</sup>

In court testimony, Mammadov refuted the allegations and claimed that the attack was staged: the alleged victim had attacked him, and police arrived very soon after the attack and arrested Mammadov, rather than the assailant. During the trial, several witnesses testified against Mammadov, giving almost identical testimonies.<sup>125</sup> Mammadov faces 6 to 11 years in prison if found guilty. The trial was ongoing and he remained in pretrial custody at time of writing.<sup>126</sup>

### *Elvin Mustafayev*

Police detained Elvin Mustafayev, a Workers' Table Trade Unions Confederation board member and participant in the August 1, 2023 couriers' protest, on charges of large-scale drug trafficking.<sup>127</sup> Three days after the protest, four unknown men attacked Mustafayev as he was leaving a grocery store. Shortly after, another four unidentified men forced Mustafayev into a vehicle parked nearby. They seized his phone and took him to a police station.<sup>128</sup>

Mustafayev testified in court that at the station, police officers beat him and threatened to plant drugs on him unless he cooperated. He further alleged that the officers threatened to frame him for rape, drug trafficking, or espionage. He said that police forced him to sign a number of documents, which he was not allowed to read, and instructed him not to tell his lawyer about them. Mustafayev also alleged that the police coerced him to agree to lesser drug charges of possession without intent to sell, promising to release him the following day under a supervised release. Mustafayev

---

<sup>124</sup> Human Rights Watch telephone interview with lawyer Zibeyde Sadighova, July 26, 2024.

<sup>125</sup> Court testimony dated January 4, 2024, in which Mammadov describes the circumstances of his arrest. On file with Human Rights Watch; and Human Rights Watch telephone interview with lawyer Zibeyde Sadighova, July 26, 2024.

<sup>126</sup> Human Rights Watch telephone interview with lawyer Zibeyde Sadighova, July 26, 2024.

<sup>127</sup> Criminal Code of Azerbaijan, art.234.4.3 (acquisition, transportation, storage of drugs on a large scale with the purpose of sale). Human Rights Watch telephone interview with lawyer Zibeyde Sadighova, July 26, 2024.

<sup>128</sup> Court testimony by Mustafayev, reflected in the verdict, Baku Grave Crimes Court verdict dated January 31, 2024, on file with Human Rights Watch.

stated that he agreed under duress.<sup>129</sup> However, they did not release him, he remained in pretrial custody, and on January 31, the Baku Grave Crimes Court convicted Mustafayev of possession without intent to sell and sentenced him to three years in prison.<sup>130</sup>

### *Aykhan Israfilov*

Police detained Aykhan Israfilov, another board member of the trade union and a participant in the couriers' protests, in early August 2023 on bogus drug possession and distribution charges, in apparent retaliation for his activism and participation in the protests. Israfilov was sentenced to three years in prison in April 2024.<sup>131</sup>

According to media reports, Israfilov's sister stated that her brother, who has limited mobility in one leg due to a previous injury, was held in poor conditions in pretrial detention.<sup>132</sup> She recounted that he was held in pretrial facility no. 3 with 21 other men in a cell designed for 10 people, with poor ventilation and lighting, and with no drinking water or heat. The prisoners took turns sleeping due to limited space. During the December 2023 pretrial hearing, the court denied Israfilov's lawyer's motion to transfer Israfilov to house arrest or to another pretrial detention facility meant to hold prisoners with disabilities.<sup>133</sup>

In a July 2024 Facebook post, Israfilov's lawyer, Fariz Namazli, reported that during a transfer between penitentiary facilities on June 29, 2024, guards attempted to confiscate medication that Israfilov takes for his leg injury. When Israfilov refused, guards beat him and placed him in a punishment cell in prison facility no. 10 with very

---

<sup>129</sup> Criminal Code of Azerbaijan, art. 234.1 (illegal acquisition, storage, manufacture, processing, transportation of narcotic drugs or psychotropic substances on a large scale without the purpose of sale). Court testimony reflected in the verdict dated January 31, 2024, and Human Rights Watch telephone interview with lawyer Zibeyde Sadigova, who was present during the hearing, July 26, 2024.

<sup>130</sup> Human Rights Watch telephone interview with lawyer Zibeyde Sadigova, July 26, 2024, and review of the verdict dated January 31, 2024, on file with Human Rights Watch.

<sup>131</sup> Criminal Code of Azerbaijan, art. 234.1-1 (possession and distribution of drugs). Sara Rahimova, another union member who attended the trial, interview with Meydan TV, Meydan TV Facebook post, April 2, 2024, [https://www.facebook.com/MeydanTelevision/posts/pfbido2efbgq1H3NUd52fzhwUSS7c8EgPaiHk6gMRnxfGoDMb7J2ozfij3xiwRhBnS6pBqbl?\\_\\_cft\\_\\_\[o\]=AZVI5hPqFWRpcng-JUSy7gzhpzpqUFFjRIVKaVORKwW2K9UREqZlXn43LmN\\_AYCDMe9sx54Iz5oK1Re83j7Rb-itE62TIMEfrXIH9Flamaz-r4QwkqIgtghjPinxk7u\\_dAz1pnA85kFoyoEVobFS7WLBYZJowD5hcA8ltwb9mV6\\_Q3TngrASL7OFrNZMK6x-g1TpDMWD4CJU6kI81jWtsM&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/MeydanTelevision/posts/pfbido2efbgq1H3NUd52fzhwUSS7c8EgPaiHk6gMRnxfGoDMb7J2ozfij3xiwRhBnS6pBqbl?__cft__[o]=AZVI5hPqFWRpcng-JUSy7gzhpzpqUFFjRIVKaVORKwW2K9UREqZlXn43LmN_AYCDMe9sx54Iz5oK1Re83j7Rb-itE62TIMEfrXIH9Flamaz-r4QwkqIgtghjPinxk7u_dAz1pnA85kFoyoEVobFS7WLBYZJowD5hcA8ltwb9mV6_Q3TngrASL7OFrNZMK6x-g1TpDMWD4CJU6kI81jWtsM&__tn__=%2CO%2CP-R) (accessed August 11, 2024).

<sup>132</sup> "Activist Arrested in Azerbaijan Complains about Conditions," Jam News, September 18, 2023, <https://jam-news.net/activist-arrested-in-azerbaijan-complains-about-detention-conditions/> (accessed August 13, 2024).

<sup>133</sup> "The Court Refused to Change the Restraining Measure to Aykhan Israfilov," *Caucasian Knot*, December 19, 2023, <https://www.kavkaz-uzel.eu/articles/395451> (accessed August 26, 2024).

little food for 14 days, during which time his lawyer and family did not know his whereabouts.<sup>134</sup>

### *Mohyeddin Orucov*

Police initially arrested Mohyeddin Orucov, an activist with the same labor union, in October 2023 on administrative charges in apparent retaliation for his criticism of the government on social media. A court sentenced him to 30 days in administrative detention and fined him 200 AZN (US\$120) for petty hooliganism and refusing to comply with police orders.<sup>135</sup> Orucov has a kidney condition and has complained of police ill-treated in custody.<sup>136</sup>

After his release from administrative detention, Orucov spoke to media about his treatment in custody, alleging that police beat him and threatened him with rape, and that he had been handcuffed to a bench for several hours while being transferred from one police station to another.<sup>137</sup>

A week after going public about his ill-treatment in custody, police arrested Orucov on drug-related charges. A court sent him to pretrial custody, where he remained at time of writing.

---

<sup>134</sup> Human Rights Watch telephone interview with lawyer Fariz Namazli, July 26, 2024; and Fariz Namazli Facebook post, July 15, 2024, [https://www.facebook.com/fariz.namazov/posts/pfbidokJvWCQKL3fqhN3LmX8fqmMGTsPVEPd1QvVLMJgzDBV5L8BUrVHZa4BSaoKhrfrq?\\_\\_cft\\_\\_\[o\]=AZUvVaORxkmw9JH7GI5zpc4xEDokkbyODK2nulDJ6C8z1VgCZpmZozWhyzAlbBnf8iMjYAmwwlxmM7FL1yQwllK6QTLTLsN\\_WZKIX3bPaRka\\_pEVPv8KoFlU\\_Eo5PHxQRTD3jhmkwja7diifAxv2lnu&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/fariz.namazov/posts/pfbidokJvWCQKL3fqhN3LmX8fqmMGTsPVEPd1QvVLMJgzDBV5L8BUrVHZa4BSaoKhrfrq?__cft__[o]=AZUvVaORxkmw9JH7GI5zpc4xEDokkbyODK2nulDJ6C8z1VgCZpmZozWhyzAlbBnf8iMjYAmwwlxmM7FL1yQwllK6QTLTLsN_WZKIX3bPaRka_pEVPv8KoFlU_Eo5PHxQRTD3jhmkwja7diifAxv2lnu&__tn__=%2CO%2CP-R) (accessed July 26, 2024).

<sup>135</sup> Human Rights Watch telephone interview with lawyer Nazim Musayev, August 27, 2024. [https://www.facebook.com/MeydanTelevision/posts/pfbidok6gt7aYQGc15QDGX6RjpGYR2igjRNpSkfbsiru5CpYbNDtwpghh8mLJHqZM6wtjl?\\_\\_cft\\_\\_\[o\]=AZWIDm\\_USJRD5BjHQob9vfVeyRT3fLJeOWcZ1o\\_lsQLKDM9J4AYWpIXui6h1KSjZhgTORD\\_q0uBCnwnkHieoZdA2uW2QSNw4Y2zluJtyqyc8Fg2rSm\\_KacTodgxdXLIqU3eoi9J56AgrTZOlg7Yzld1MEag3Yu2Etn7J2za6aUTpR-25KgIy4YIAIR4tlFQRl3MRmBGQ94Gv5vhvJ9BeDlBE&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/MeydanTelevision/posts/pfbidok6gt7aYQGc15QDGX6RjpGYR2igjRNpSkfbsiru5CpYbNDtwpghh8mLJHqZM6wtjl?__cft__[o]=AZWIDm_USJRD5BjHQob9vfVeyRT3fLJeOWcZ1o_lsQLKDM9J4AYWpIXui6h1KSjZhgTORD_q0uBCnwnkHieoZdA2uW2QSNw4Y2zluJtyqyc8Fg2rSm_KacTodgxdXLIqU3eoi9J56AgrTZOlg7Yzld1MEag3Yu2Etn7J2za6aUTpR-25KgIy4YIAIR4tlFQRl3MRmBGQ94Gv5vhvJ9BeDlBE&__tn__=%2CO%2CP-R) (accessed July 26, 2024). See “Civic Activist Reportedly Beaten in Prison,” Meydan.TV, October 20, 2023, <https://www.meydan.tv/ru/article/soobshhaetsya-ob-izbienii-grazhdanskogo-aktivista-v-tyurme/> (accessed August 18, 2024).

<sup>136</sup> Lawyer Nazim Musayev’s interview, Meydan TV Facebook page, April 17, 2024, [https://www.facebook.com/MeydanTelevision/posts/pfbidokNrZatRffHLbz1TEZQtHWuZvY5Y1piFTJmF7S9j3STfZ05c15SbkqPxN5R5guCwgDI?\\_\\_cft\\_\\_\[o\]=AZXwoZ\\_o9YIk4op4H\\_UvlRpgvRT9NJgE15A4iicvBylzAotLjiB6l7jxMq4A6FSgsqZGmgst\\_gt7Ms8n97bl3PWnsjZT2p74w-AjKxRqoB2xSsoStfzqNNJ13Ra8tG7pal8FJ6VNKWgtpKIK6Ej2s2uQ1eNtE6\\_WVDSX-8vxlcvU8kKo2RrOzvKvidertUtd-tlogyFsiKllymj79ihANY&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/MeydanTelevision/posts/pfbidokNrZatRffHLbz1TEZQtHWuZvY5Y1piFTJmF7S9j3STfZ05c15SbkqPxN5R5guCwgDI?__cft__[o]=AZXwoZ_o9YIk4op4H_UvlRpgvRT9NJgE15A4iicvBylzAotLjiB6l7jxMq4A6FSgsqZGmgst_gt7Ms8n97bl3PWnsjZT2p74w-AjKxRqoB2xSsoStfzqNNJ13Ra8tG7pal8FJ6VNKWgtpKIK6Ej2s2uQ1eNtE6_WVDSX-8vxlcvU8kKo2RrOzvKvidertUtd-tlogyFsiKllymj79ihANY&__tn__=%2CO%2CP-R) (accessed July 26, 2024).

<sup>137</sup> Orucov gave a video interview to HamamTimes, December 5, 2023, <https://www.facebook.com/watch/?v=688906113306816> (accessed August 28, 2024).

## Arbitrary Denial of NGO Registration

Against the backdrop of the latest wave of arrests is the government's administrative assault, under way for many years, on NGOs, preventing them from operating effectively and stifling the environment that would breed a new generation of activists. This chapter of the report takes an in-depth look at the regulatory system and practices that appear designed to constrain if not decimate Azerbaijani civil society.

In Azerbaijan NGOs must be registered by the Ministry of Justice to be considered a legal entity, open a bank account, receive grants, hire employees, rent office space, or conduct other operations.<sup>138</sup>

In theory, the registration process is relatively straightforward. Azerbaijan's registration law requires applicants to pay a small state registration fee and submit information about the group's name, documents confirming legal address, detailed information on founders, as well as founding documents and the group's charter or by-laws.<sup>139</sup>

However, in practice, the authorities have wide discretion to complicate the process, drag it out indefinitely, and ultimately deny registration altogether. For more than a decade, the government has arbitrarily denied registration to independent NGOs, sometimes on multiple occasions, on various spurious or illegal grounds; in some cases, it has failed to respond to applications for registration within legal timeframes. Although the law provides only a limited number of reasons for denying registration, they are used "with broad discretion by government officials considering documents

---

<sup>138</sup> "A non-governmental organization receives the status of a legal entity only after state registration," Law on Non-Governmental Organizations (Public Associations and Foundations), no. 894-IQ, adopted June 13, 2000 (as amended and edited as of December 26, 2023) <https://e-qanun.az/framework/511> (accessed August 21, 2024), art. 16.2. Regarding funding, the following may be a recipient of a grant: "[L]egal entities ... being residents and non-residents, their branch offices, representations and departments carrying out activity in Azerbaijan Republic, whose basic objective is charity or implementation of projects and programmes that may be a subject of a grant, and which are not aimed at direct generation of profit resulting from grant (...). Non-registered agreements (decisions) on giving and receiving of grants cannot be subject to bank or any other operations." Law on Grants, no. 483-IQ, adopted April 17, 1998, <https://e-qanun.az/framework/3527> (accessed August 26, 2024), arts. 3 and art. 4, para. 5.

<sup>139</sup> The registration application form for non-commercial organizations was approved by a decision of the Cabinet of Ministers of the Republic of Azerbaijan No. 265 dated December 3, 2008.

Law on State Registration and State Registry of Legal Entities, no. 560-IIQ, adopted <https://e-qanun.az/framework/5403> and Decision of the Cabinet of Ministers of Azerbaijan dated March 19, 2012, on approval of the "Rules for State Registration of Non-Commercial Organizations" determines the registration procedure, including the required documents to be added to the application for state registration of non-commercial organizations. The full range of measures that govern the NGO registration process include the NGO law, the registration law, certain articles of the civil code, and other regulations issued by the Cabinet of Ministers.

for registration,” according to an independent research organization specializing in NGO law.<sup>140</sup>

In response to applications for NGO registration lodged by applicants that work on issues that challenge government policies, the Ministry of Justice has repeatedly claimed to find minor errors in their documents, for example related to the organization’s name or the signatures on the application. Or they falsely claim that additional documents are needed, in some cases even when there are no mistakes. Even after applicants have corrected the mistakes, officials often find further errors, compelling NGOs to make repeated attempts at registration, taking their time and resources. In some cases, officials simply do not respond to initial or corrected applications at all or send an official denial without regard to the corrected application. In others, Ministry of Justice staff informally call NGOs asking for further information about their founders and activities. In one case we documented, the Ministry of Justice refused to register a group working on local social justice issues on the grounds that there were other state agencies dealing with the issues.

The European Court of Human Rights has issued numerous judgments finding that the Azerbaijani government’s failure to register independent NGOs in this manner violates the right to freedom of association, as described in more detail below.

In 2014 the Council of Europe’s Venice Commission raised serious concerns about NGO registration as a mechanism of control. It described the process as a lengthy and cumbersome one, whereby the “authorities have wide discretion in refusing to register NGOs,” including based on technical omissions (a missing document, a lack of signature). It called on the government to decrease the excessive length of the registration process; end the repeated unnecessary demands for corrections of registration documents; and to limit the grounds for refusal of registration to serious deficiencies.<sup>141</sup>

---

<sup>140</sup> International Center for Not-for-Profit Law (ICNL), “Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan,” July 2017, [https://www.icnl.org/wp-content/uploads/our-work\\_Assessment\\_NGO-Law-Azerbaijan-Oct-2017-fv.pdf](https://www.icnl.org/wp-content/uploads/our-work_Assessment_NGO-Law-Azerbaijan-Oct-2017-fv.pdf) (accessed August 15, 2024), page 8.

<sup>141</sup> European Commission for Democracy through Law (Venice Commission), “Opinion On the law On non-governmental organisations (public associations and funds), as amended, Of the republic of Azerbaijan,” December 15, 2014 <https://rm.coe.int/1680306ff8> (accessed September 11, 2024).



While activists formally have the right to appeal the government’s refusal of registration in court, the lack of an independent judiciary severely undermines the effectiveness of this remedy.<sup>142</sup>

As a result, activists and journalists who are critical of the government and who face de facto or de jure denial of their registration applications are pushed to the margins of the law if they wish to continue their legitimate human rights work or independent journalism. Without a legal entity, it is virtually impossible for activists to carry out and fund their legitimate work, making them vulnerable to government harassment, large fines, and criminal prosecution, including in relation to how they strive to fund their activities. According to one long-time activist, “They [the government] don’t want to give us status, make us official. Registration is a privilege, it is a status, and to have it you must enter their system and play by their rules.”<sup>143</sup>

The government’s disproportionate and unnecessary requirements for NGO registration, as well as its arbitrary application of laws and regulations governing NGOs, are so burdensome and create such a significant interference with the right to freedom of association as to be unjustified and constitute a violation of that right.

The below sections document the pretexts officials have used to deny registration.

## Refusal To Acknowledge Signatures

In three cases we documented, in which the Ministry of Justice denied registration, officials said that not all founders had signed the registration application. Officials claim that all applications must bear the original signatures of all founders and that they cannot accept powers of attorney authorizing one founder to sign on behalf of other founders. Article 5.2. of the Registration Law, however, clearly envisages the possibility of an authorized person (legal representative, or a trustee with a power of attorney) signing the registration application where there are multiple founders.<sup>144</sup>

---

<sup>142</sup> Law on Non-Governmental Organizations, art. 17.4.

<sup>143</sup> Freedom Now video interview, details withheld, July 13, 2023, and interview, Baku, July 25, 2023.

<sup>144</sup> Law on State Registration and State Register of Legal Entities, art. 5.2 states:

“The application shall be signed by the founder (in case of several founders - by all founders), by a **legal representative** (legal representatives) or by a **trustee** appointed by them (founders) in the appropriate order and notarized (emphasis added). Ministry of Justice of Republic of Azerbaijan decision "On the approval of the "Rules for State Registration of Non-Commercial Institutions," art. 5.2.

### *Case of a Community Support NGO*

An activist applied twice in early 2023 to register a regional NGO he had co-founded.<sup>145</sup> The organization offers legal aid and support to a local community in a particular region of Azerbaijan, with the aim of resolving residents' social and environmental concerns.<sup>146</sup> It coordinates public education campaigns and liaises with regional state agencies.<sup>147</sup> The Ministry of Justice rejected the group's first registration request in early 2023, on the grounds that the application was not signed by all founders, despite the fact that the activist who had filed the application had power of attorney from the other two founders authorizing him to sign on their behalf.<sup>148</sup> In response to the denial, the three founders of the group signed the application directly and resubmitted it. However, the ministry rejected the application again, this time stating that there were state agencies dealing with the social issues in the region already.<sup>149</sup> The activist appealed the decision and in August 2023, a court upheld the ministry's decision. The activist says he plans to appeal further, including to the Supreme Court.<sup>150</sup>

The activist wants to secure registration for the community group to advance the organization's advocacy work addressing community issues and representing the community in negotiations vis a vis the government.<sup>151</sup>

### *A Women's Education Initiative*

In January 2023, two lawyers applied with the Ministry of Justice to register an organization that would provide assistance to women and LGBT people who are survivors of domestic and other forms of violence. One of the lawyers signed the registration application herself and on behalf of the other, having power of attorney from her. In March 2023, the ministry denied the registration, claiming not all the founders signed the application.<sup>152</sup>

The co-founders appealed the rejection with the Baku Administrative Court. They argued that the Ministry of Justice did not interpret the signature provisions of the

---

<sup>145</sup> The name of the NGO is withheld.

<sup>146</sup> Details about the identity of the group and its founders have been withheld to protect their security.

<sup>147</sup> Freedom Now online interview with an activist with the community group, details withheld, August 29, 2023.

<sup>148</sup> Ibid.

<sup>149</sup> Freedom Now online interview with the same activist, August 27, 2024.

<sup>150</sup> Freedom Now online interview with the same activist, August 29, 2023.

<sup>151</sup> Ibid.

<sup>152</sup> Freedom Now online interview with the co-founders, details withheld, September 6, 2023.

registration law correctly. In July 2023, the court upheld the rejection decision.<sup>153</sup> The lack of registration has made their work impossible. “We have not started working yet. We have no employees. ... We do not have projects because we are newly established and unregistered,” said one of the co-founders.<sup>154</sup>

### *Case of a Legal Defense NGO*

In January 2023, an independent human rights lawyer who, in cooperation with other independent Azerbaijani NGOs, represents marginalized groups in court, attempted to register a legal defense NGO. The Ministry of Justice declined the registration request on the grounds that not all founders’ original signatures were on the application. The lawyer explained:

In January 2023, I attempted to register our NGO, [name withheld], based in [name of city withheld], but the Ministry of Justice rejected our application. According to the letter sent to me in March [2023], the ministry refused to approve the application because it lacked the signatures of all founders. However, I was a legal representative chosen by the co-founders, so I was authorized to sign the registration documents on their behalf.<sup>155</sup>

The lawyer was pessimistic about further attempts. “I expect the ministry will find another excuse if we reapply,” he said.<sup>156</sup>

### **Claiming Fault with Organizations’ Names**

The Ministry of Justice has denied registration for certain groups, claiming that the organization’s name does not describe its activity.<sup>157</sup> There is no requirement under law that an organization’s name must reflect all of its activities. In justifying the refusals, the authorities invoked article 3 of the NGO law, which states: “a non-governmental organization has a name that indicates its organizational-legal form and nature of activity.” Officials’ restrictive and arbitrary interpretation of the law in this case to

---

<sup>153</sup> Ibid.

<sup>154</sup> Ibid.

<sup>155</sup> Freedom Now interview with lawyer, details withheld, July 10, 2023.

<sup>156</sup> Ibid.

<sup>157</sup> In addition to the cases here, an activist with another unregistered legal defense NGO said their second registration attempt was also denied due to the NGO’s name. Human Rights Watch interview with the activist, details withheld, November 15, 2023.

reject a registration application illustrates how even generic legislative provisions can be open to abuse.<sup>158</sup>

Changing an organization's name involves changing the statute, founding documents, power of attorney, and other legal documents, all of which takes time and involves possibly significant extra costs. Many organizations work on a variety of activities, such that one name will unlikely capture all of its activities.<sup>159</sup>

According to one lawyer whose advocacy organization was denied registration:

I investigated this issue since I participated as a legal consultant in several NGO registration denial cases and found out that, statistically, the ministry based almost 50 percent of NGO registration denials on the fact that the name of the NGO did not coincide with its operations. Some of these NGOs were involved in economics, women's rights, community work, etc.<sup>160</sup>

In June 2021, a third legal defense NGO applied for registration. In August 2021, the Ministry of Justice declined to register it because its name did not reflect its main activity, and specifically, that the organization's name did not include a verb. The organization unsuccessfully appealed the decision to the Baku Administrative Court. In reaching its decision, the court did not rely on any domestic legislation to support the ministry's position that an NGO's name should include a verb as a condition of registration. The organization appealed the lower court's decision to the Baku Appeals Court and Azerbaijan's Supreme Court. The courts upheld the decision of the Ministry of Justice.<sup>161</sup> The co-founder subsequently left Azerbaijan out of concern for his safety amidst the government's heightened crackdown.

Another activist, whose organization focuses on advocacy for a marginalized group, applied for registration in January 2023 and received a rejection letter two months later:

---

<sup>158</sup> "The Law of Azerbaijan on The Non-Governmental Organizations," art. 3.

<sup>159</sup> Freedom Now online interview with a lawyer involved in NGO registrations and also co-founder of an unregistered organization that advocates on behalf a marginalized group, October 12, 2023.

<sup>160</sup> Ibid.

<sup>161</sup> The denial cites article 3.1 of the Law "On Non-Governmental Organizations (Public Unions and Funds)." Freedom Now online interview with one of the organization's co-founders, September 18, 2023, and interview, Baku, July 26, 2023.

The ministry denied us registration by saying the name of our NGO did not reflect our main activities: it did not have a verb in it. ... We did not violate the requirements of the law or hide the field of our activity from the ministry since the name of the NGO showed the area of our activity. Besides, our mandate and field of activity are written in our statute, which we attached to the NGO registration application.<sup>162</sup>

They appealed the decision in a Baku court, which upheld the ministry's decision. Neither the ministry nor the court provided a legal basis for the organizations' name being the justification for the denial.<sup>163</sup>

Another activist who tried to register his new NGO in mid-2023, also explained the Ministry of Justice's refusal to register, claiming a problem with the name:

A representative of the MOJ called us and asked questions that were not envisaged by law. For example, 'Who were we? What was our registration's motivation, purpose, or aim? Who were we working with?' ...

[Later] we called the ministry and asked about their decision. ... They refused to register us claiming the name of our NGO does not coincide with our activities. For example, in our statute, we had various topics that we were working on... The ministry concluded that the NGOs' name... did not include [one of the] activities, so [registration] was refused.<sup>164</sup>

The activist never received an official denial of registration. "[The ministry] said they sent us their decision by mail. We informed the ministry that we had not received anything, and they suggested we check with the post office," he said.<sup>165</sup>

---

<sup>162</sup> Freedom Now online interview with a lawyer involved in NGO registrations who is also a co-founder of this group, October 12, 2023.

<sup>163</sup> Ibid.

<sup>164</sup> Freedom Now online interview with an activist with an NGO that provides event space and support to various civic groups, August 29, 2023.

<sup>165</sup> Ibid.

Human Rights Watch and Freedom Now are aware of registered NGOs that are not critical of the government whose names do not necessarily capture their scope of activities.<sup>166</sup>

## Using Other Alleged Errors in Applications as Pretexts

In October 2022, Bakhtiar Hajiyev and Rail Abbasov, both in detention awaiting trial on criminal charges related to their human rights work, as described above, attempted to register two NGOs: Public Union for the Protection of Property Rights and the Azerbaijan-North Korea Friendship Society.<sup>167</sup> The Ministry of Justice refused both registrations. In July 2023, Abbasov said that the ministry's denial claimed, incorrectly, that the document certifying the organization's address was missing: proof of the legal address of both organizations had been included with the applications.<sup>168</sup>

One NGO leader said that his organization, founded in 2012, tried twice to register and was denied, but received no written explanation for the denials. With the first attempt, in 2013, the Ministry of Justice did not respond, and with the second attempt, in 2014, a ministry official called the founders, asked a few questions, but the ministry provided no further information and sent nothing in writing.<sup>169</sup>

The organization works on topics that are politically and socially sensitive. The activist said:

I don't know the real reason why we were denied, but if I were to guess ... we had already showed our true colors at the time of the application. We were putting out statements, using the language they [the authorities] did not like.

---

<sup>166</sup> Human Rights Watch Interview with a staffer with a registered NGO, details withheld. We refrain from naming these here to avoid compromising their security.

<sup>167</sup> An activist familiar with the applications said that Abbasov and Hajiyev intended to try to register the Azerbaijan-North Korea Friendship Society as a test, to see whether the authorities would register an organization that had no outward traits that would seem critical of the Azerbaijani government. Human Rights Watch interview with the activist, July 22, 2024.

<sup>168</sup> Freedom Now interview with Rail Abbasov, Baku, July 26, 2023.

<sup>169</sup> Human Rights Watch online interview with leader of NGO that works on equality initiatives, November 16, 2023.

The NGO leader also cited his activism in partnership with prominent human rights defenders who were convicted on politically motivated criminal charges in 2014. The NGO's founders elected to make no further attempts to register.<sup>170</sup>

## Requests For Official References

In other situations, Ministry of Justice representatives have informally asked applicants to provide references from ministries or other government authorities who could vouch for the organization and its founders. Such written or oral recommendations are not part of the official NGO registration requirements.<sup>171</sup>

This informal requirement is longstanding and routine.<sup>172</sup> For example, a staffer with an organization that supports youth said that their initial attempt to register was denied, but after they made corrections to their documents and met with a government official, they received approval, in 2006. He said, "We were invited by the Ministry of Youth and Sports for a meeting who wanted to get to know us. After that meeting, we got no further questions from the Ministry of Justice."<sup>173</sup>

An activist tried to register an NGO that he had co-founded, which works on capacity building and legal assistance, twice, in 2013 and 2014, but was denied both times.<sup>174</sup> He described a phone call to the Ministry of Justice, during which he asked for an explanation for the denial:

Although it was not required by law, I was also asked [by the official] to attach a letter of guarantee [reference letter] to my NGO registration application. The letter of guarantee is usually signed by someone from a

---

<sup>170</sup> Ibid.

<sup>171</sup> The registration law specifies one instance when the opinion of the relevant executive authorities is needed for the registration of a non-profit legal entity, that is, when the group's activities include promotion of religious values. Law of the Republic of Azerbaijan on State Registration and State Registry of Legal Entities, art. 5.4.9.

<sup>172</sup> One of the co-founders of a legal defense organization, who supported at least 15 other NGOs in their unsuccessful attempts to register, said "[I]t is not possible without a recommendation from the government authorities about "reliability" for the state." Freedom Now online interview with the co-founder of a legal defense organization, September 18, 2023, and interview, Baku, July 26, 2023.

<sup>173</sup> Human Rights Watch interview with staffer with a registered NGO.

<sup>174</sup> On the first attempt, Ministry of Justice officials claimed that the founders' rights and obligations regarding their participation in the group's activities were not set out in the charter, as required by article 9.2 of the NGO law. On the second attempt, officials said the decision establishing the association and approving its charter did not set out formation of the management bodies, as required by article 5.4.1 of the registration law. According to the co-founder, all of the information was in the application. Freedom Now online interview with co-founder of an NGO that works on capacity building and legal assistance, July 13, 2023, and interview, Baku, July 25, 2023.

ministry or local authority... I did not do this... You need someone to [vouch] for you, no matter who you are.<sup>175</sup>

In 2021, the European Court of Human Rights found that the denial of registration of the organization that this activist had co-founded, and denials received by 13 other groups, violated the right to freedom of association.<sup>176</sup>

According to one activist who works on free expression issues, when he tried to register his media freedom NGO in 2017, the authorities also requested that he submit a recommendation letter. He understood that “The recommendation letter should be requested from the appropriate ministry, pro-governmental entity, or the head of the local executive authority.”<sup>177</sup>

---

<sup>175</sup> Freedom Now online interview with co-founder of an NGO that works on capacity building and legal assistance, June 13, 2023, and interview, Baku, July 25, 2023.

<sup>176</sup> *Abdullayev and Others v. Azerbaijan*, (Application nos. 69466/14 and 12 others), Judgement of May 20, 2021, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-210018%22%5D%7D> (accessed August 26, 2024).

<sup>177</sup> Freedom Now interview with an activist who works on free expression issues, July 23, 2023.



## Obstacles and Risks Faced by Unregistered NGOs

The lack of NGO registration poses serious risks for Azerbaijan's civil society activists, who are denied the ability and means to carry out their legitimate work without running afoul of the law. Without registration, it is extremely difficult, if not impossible, for NGOs to secure funding and conduct regular organizational operations, including hiring and renting office or event space. Many activists continue their work, finding creative ways to secure funding, engage staff, organize events, conduct advocacy, distribute information, provide services, and other activities.

But they do so at real risk of criminal prosecution, closure of the NGO and an end to its work, and harassment by government officials and government-adjacent media. At any moment, the government can accuse them of financial or other crimes, misusing legitimate laws meant to punish genuine wrongdoing, to pursue the illegitimate goal of silencing NGOs.

### Threat of Criminal Prosecution and Harassment

In a July 2023 interview, before his 2024 arrest, Akif Gurbanov, head of the Institute for Democratic Initiatives whose case is described in the previous section, spoke of the risks to activists of working with an unregistered NGO: “There are no benefits [to being unregistered]. They [independent activists] work at their own risk and fear. NGO members are in constant fear of the authorities' reprisals.”<sup>178</sup>

Other activists echoed this sentiment. The founder of a women’s rights organization said: “There is nothing positive about working without registration.... Most importantly, we are afraid the authorities will crack down on us. They will close [us].”<sup>179</sup> Another long-time human rights defender also articulated this risk: “the government benefits by rendering everyone illegitimate. They can pursue them whenever it is in their interest.”<sup>180</sup>

A prominent activist who had been previously imprisoned by the Azerbaijani authorities in retaliation for his human rights work explained:

---

<sup>178</sup> Freedom Now online interview with Akif Gurbanov. Details withheld.

<sup>179</sup> Freedom Now online interview with activist with women’s rights organization, September 28, 2023.

<sup>180</sup> Freedom Now interview with human rights defender, Baku, July 26, 2023.

Unregistered NGOs are not a big deal for the government. They [just] say they aren't legitimate. If a registered organization is interfered with, international organizations will bring more pressure [on the Azerbaijani government]. So, it is better [to] keep groups unregistered. They declare us illegitimate and use this propaganda against us.<sup>181</sup>

The founder of a newer unregistered NGO, established in 2022 to support civic participation and youth initiatives, articulated the problems they are already facing. The group had applied for registration in July 2023 but was rejected: "The authorities also use the lack of our registration for propaganda purposes. They claim we receive lots of money from the West and work against the Azerbaijani state, but we don't."<sup>182</sup> Pro-government media had criticized the organization, alleging it was receiving funding from Western organizations.<sup>183</sup>

## Barriers to Funding

Being able to seek financial and material resources for an organization is an integral part of the right to freedom of association. NGOs without registration face key barriers to securing and using funding in Azerbaijan. They cannot open organizational bank accounts, required for receipt of donations.<sup>184</sup> They also cannot officially register any grant agreements with the government, as required by law. And when such agreements are not registered with the government, the group cannot process the funds it receives or wishes to disburse at banks.<sup>185</sup>

Many donors also specify that they will provide funding only to registered NGOs. This includes grants made available by the Azerbaijani government, as well as other local potential funders. In April 2021, President Aliyev established the Agency for State

---

<sup>181</sup> Freedom Now interview with previously imprisoned activist, Baku, July 25, 2023.

<sup>182</sup> Freedom Now online interview with an activist with the NGO, which provides event space and support to various civic groups, August 29, 2023.

<sup>183</sup> Ibid.

<sup>184</sup> ICNL, "Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan," p. 9.

<sup>185</sup> The Law of Azerbaijan on Grants, article 4(5), [https://www.icnl.org/wp-content/uploads/Azerbaijan\\_Azergrantlaw.pdf](https://www.icnl.org/wp-content/uploads/Azerbaijan_Azergrantlaw.pdf). Article 466.1 of the administrative offences code envisages administrative liability for receiving donations in cash. "This [norm] does not apply to monetary donations of up to 200 manats made to a non-governmental organization functioning in the Republic of Azerbaijan whose principal goal, according to its charter, is a charity and which accepts cash donations." Code of Administrative Offences of the Republic of Azerbaijan (with amendments and additions as of December 30, 2023), [https://continent-online.com/Document/?doc\\_id=36865427#pos=4682;59&sdoc\\_params=text%3D466%26mode%3Dindoc%26topic\\_id%3D36865427%26spos%3D1%26tSynonym%3Do%26tShort%3D1%26tSuffix%3D1&sdoc\\_pos=1](https://continent-online.com/Document/?doc_id=36865427#pos=4682;59&sdoc_params=text%3D466%26mode%3Dindoc%26topic_id%3D36865427%26spos%3D1%26tSynonym%3Do%26tShort%3D1%26tSuffix%3D1&sdoc_pos=1) (accessed August 16, 2024).

Support to NGOs of the Republic of Azerbaijan.<sup>186</sup> It provides modest grants of 5,000 to 6,000 manat (US\$2,940 - 3,530).

A women's rights activist described the barrier for her NGO in accessing grants: "Without registration, we cannot apply for grants because in the calls for applications, one of the requirements for NGOs is to have registration. If I had registration and had a bank account, we would not have had any issues [with funding]."<sup>187</sup>

According to another activist, "We could not apply for grants from either [a German] foundation or a [tech] fund because they were only open to registered NGOs."<sup>188</sup> Similarly, an activist who founded an organization in 2022 to support workers said, "The main disadvantage [of not being registered] is the inability to obtain funding from important [international] donors."<sup>189</sup>

## Barriers to Hiring Staff or Renting Office and Event Spaces

Without registration, NGOs face serious difficulties hiring staff. People who work for unregistered NGOs do so on informal contracts or without contracts and do not have access to benefits that formal workers would enjoy.

An activist who leads an organization that provides humanitarian, legal, and psychological help to a particularly marginalized group, explained how lack of registration impedes their work: "We are like a volunteer-based initiative. We are not registered and don't have money to pay our staff. Because of this, we have a huge turnover because not many people want to work for free."<sup>190</sup>

One leader of an unregistered NGO that focuses on legal aid and young lawyers' empowerment explained:

---

<sup>186</sup> Presidential Decree establishing the State Agency to Support NGOs, April 19, 2021, <https://president.az/az/articles/view/51178> [in Azerbaijani], (accessed August 26, 2024), The agency replaced the Council of State Support to NGOs under the President of Azerbaijan, which had been operating since 2008.

<sup>187</sup> Freedom Now online interview with an activist with a women's rights organization, September 28, 2023.

<sup>188</sup> Freedom Now online interview with activist with an equality-oriented organization, August 24, 2023.

<sup>189</sup> Freedom Now online interview with activist with workers' support organization, Baku, September 23, 2023.

<sup>190</sup> Freedom Now online interview with an activist with an organization that provides assistance to a particularly marginalized group, September 2, 2023.

[We] cannot sign an official employment contract with employees ... I, as a leader of the unregistered NGO, either sign service subcontracts with our staff or come to an informal [oral] agreement on how to carry out the work. Because of the lack of funding, the unregistered NGO can provide its personnel with neither a salary nor protection.<sup>191</sup>

The director of another unregistered NGO has staff sign formal agreements, even though they do not have legal force:

If I have a project and one of my employees is work[ing] on it, I draft an unofficial agreement stipulating all labor rights and obligations, including payment. The parties sign the agreement. The document is just for internal use and is not legally enforceable.<sup>192</sup>

Lack of registration prevents organizations from being able to comply with rules on renting workspace and can interfere with their ability to hold events. One activist with an unregistered NGO said that unregistered groups that rent office space do so at great risk. One potential problem is that renting space as a private individual entails different rates for utilities than those for legal entities. If utilities' agents determine a space is being operated as a workspace by an unregistered NGO, but is formally rented by a private individual, the group is vulnerable to fines or prosecution.

Another activist who works on gender equality with an unregistered NGO cited challenges securing a venue for a training:

I participated in a project with [an international organization], and we needed to conduct a training in the regions. We were denied such an opportunity because we could not get permission from [the relevant ministry] and the presidential administration [to use municipal facilities].<sup>193</sup>

---

<sup>191</sup> Freedom Now interview with the leader of an NGO devoted to legal aid and young lawyers' empowerment, location withheld, August 24, 2023.

<sup>192</sup> Freedom Now interviews, details withheld, July 23, 2023, and September 8, 2023.

<sup>193</sup> Freedom Now online interview with activists who work on gender equality, September 8, 2023.

She said that she was aware of registered organizations that had been able to use municipal facilities without difficulties.<sup>194</sup>

---

<sup>194</sup> Ibid.

## Control and Intrusive Oversight of Registered NGOs

Even if a group can secure registration, the state has vast intrusive powers of inspection and potential sanction that can interfere with everyday NGO operations. In 2014, the Council of Europe’s Venice Commission found that Azerbaijan’s NGO laws contain “[p]rovisions allowing unwarranted interferences into the internal autonomy of NGOs, i.e. reporting obligations and state supervision on NGOs internal organization.”<sup>195</sup>

Azerbaijan’s NGO law subjects groups to onerous fines, including for minor or procedural errors, and the Council of Europe’s Venice Commission included the penalties for “rather minor offenses” as an element of the wider picture of Azerbaijan’s “very paternalistic approach toward NGOs.”<sup>196</sup> The International Center for Non-Profit-Law, in an analysis comparing Azerbaijan’s NGO laws to European and international standards and best practices, determined that “the high penalties against NGOs appear to be excessive and disproportionate, compared to the nature of offenses. They also appear to be discriminatory when compared with penalties for similar offenses committed by business entities and individuals.”<sup>197</sup>

The Ministry of Justice has wide discretion to “study” an NGO’s activity, which can be understood as “inspecting or investigating whether an NGO’s activity is in compliance with its charter [regulation] and the legislation of the Republic of Azerbaijan,” on numerous grounds, including if the ministry “suspects” non-compliance.<sup>198</sup>

Actions viewed as non-compliance with requirements can lead to warnings, and more than two warnings in a year may result in the authorities suing to de-register the NGO.<sup>199</sup> Given the lack of an independent judiciary in Azerbaijan, NGOs have little recourse when confronted with intrusive government oversight and undue interference in the legitimate work of organizations.

---

<sup>195</sup> European Commission for Democracy through Law (Venice Commission), “Opinion On the law On non-governmental organisations (public associations and funds), as amended, Of the republic of Azerbaijan,” December 15, 2014.

<sup>196</sup> Ibid.

<sup>197</sup> ICNL, “Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan,” p. 78.

<sup>198</sup> Ibid, p. 69. Regarding grounds for inspection, ICNL’s report states: “It appears that Azerbaijani legislation provides the MoJ with quite extensive authority to “study” activities of NGOs, which can easily be taken for auditing or investigating. Such broad power applicable to all NGOs is quite unusual and contradictory to international good practice.” Ibid, p. 72.

<sup>199</sup> Law on Non-Governmental Organizations, art. 31.4.

All legal entities, including NGOs, must register changes to their leadership, legal address, and other details, as well as charter and other founding documents that are on file with the Ministry of Justice. The ministry has five days to register the change.<sup>200</sup> If it approves the change, it issues the NGO a certificate.<sup>201</sup> International Center for Not-for-Profit Law (ICNL), a global group focusing on the legal environment for civil society, has determined that these requirements are too broad in light of principles in international law protecting freedom of association. Minor changes in the charter should not require such registration.<sup>202</sup>

Until the government confirms any proposed changes, the NGO cannot carry out financial transactions or engage in other operations.<sup>203</sup> For this reason, some NGO leaders feel the registration-of-changes process is akin to the registration process itself, and that it provides the authorities with another opportunity to obstruct the work of organizations that are critical of the government or work on sensitive issues. They feel they face the same obstacles and risks as NGOs that were never registered in the first place.

This vulnerability from the registration-of-changes process is a regularly recurring issue for NGOs because in many cases their leaders are appointed for two- or three-year terms and they need to be either changed or reconfirmed by a governing body. Any such changes to the status quo need to be registered with the Ministry of Justice.

According to the leader of a registered women's organization,

Every three years, ... we must inform the ministry of the NGO's chair and board composition. While we did not receive rejections, our NGO did experience delays: for example, the Ministry of Justice gave us the [certificate] from the NGO registry after four or six weeks. To receive the [certificate], you [have to] attach to the application the board meeting minutes, including the personal information of the meeting attendees

---

<sup>200</sup> Law on Non-Governmental Organizations, art. 14. Law on State Registration and State Registry of Legal Entities, art. 9.2.

<sup>201</sup> *Ibid.*, art. 15.3.

<sup>202</sup> ICNL, "Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan," July 2017, p. 24.

<sup>203</sup> The Law on Non-Governmental Organizations, art. 9.3 states: "Changes made to the constituent documents of legal entities. . . enter into force only after the state registration. Legal entities and branches or representative offices of foreign legal entities are not entitled to engage in any activity on the basis of the changes that have not entered into force."

[their ID numbers]. The membership can be anonymous under the legislation, but to acquire the extract, NGO leadership must notify the MOJ of their [NGO member's] identity.<sup>204</sup>

Similarly, a staffer with a registered youth leadership NGO, said:

Every two years, we . . . apply to the Ministry of Justice for a certificate from the NGO registry. In the past, it was supposed to take 10 days to get the extract. Usually, it took more than that. Recently, it became even more lengthy and challenging. To get the extract, we need to submit to the Ministry of Justice the founder's meeting minutes [or the annual meeting minutes], the information about the change of the chairperson or any other changes within the structure of the NGO [for example, change of its name or mandate], and the outcome of the voting for this change [e.g., the list of members who voted for the change].<sup>205</sup>

All legal entities in Azerbaijan, including NGOs, are required to submit identical reports under tax and social insurance legislation. These various reports are filed monthly, quarterly and annually, including: three quarterly reports related to taxes, a quarterly report regarding social insurance, and a VAT report monthly. NGOs are required to submit an annual financial report to the Ministry of Finance. They are also required to provide a broad range of financial information, in addition to information that they already submit in tax reports. Financial reporting requirements apply even to very small NGOs that do not have any income or assets.

The reporting forms are difficult for NGOs without in-house accountants and small NGOs may struggle to complete them or find money to pay for professional help. The International Center for Not-for-Profit Law has determined that “financial reporting requirements applicable to all NGOs are excessive, compared to reporting requirements in other European countries.”<sup>206</sup>

According to one activist with a registered NGO:

---

<sup>204</sup> Freedom Now online interview with the leader of a registered women's organization, August 17, 2023.

<sup>205</sup> Freedom now online interview with a staffer with a registered youth leadership NGO, September 14, 2023.

<sup>206</sup> ICNL, Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan,” July 2017, p. 73.



To operate, we submit [regular] reports to four or five different public offices ... Even if you have limited or no activity, you still submit these reports. To do it right, you need a lawyer and an accountant. There is a lot of reporting work. With a lack of funds, it is becoming very problematic.<sup>207</sup>

One activist noted the burden on small NGOs, such as the one he works for, on equality initiatives:

[It is] rather technical—providing reports several times a year. We are not a big NGO, and we are limited in capacity, so the workload will be much higher, and we won't be able to meet these requirements. Plus, we work with sensitive [personal] information [about the individuals we support], and we have no guarantees that the state won't request additional information on that.<sup>208</sup>

## Control Over Resources – Restrictions on Grants from Foreign Donors

In 2013 and 2014, the government radically restricted NGO access to foreign funding, which had been the predominant source of funding for most human rights NGOs and other NGOs critical of government policies. The new measures require all potential foreign donors to register a branch or office in the country and then receive permission from the Ministry of Justice to act as a grant maker for a specific period of time.<sup>209</sup> Even after meeting these requirements, a donor, including foreign missions and intergovernmental organizations such as the UN and the Council of Europe, must seek an opinion from the Ministry of Finance on the “financial-economic expediency” of each grant, prior to disbursing it.<sup>210</sup>

---

<sup>207</sup> Freedom now online interview with a staffer with a registered youth leadership NGO, September 14, 2023.

<sup>208</sup> Human Rights Watch online interview with the leader of an NGO that works on equality initiatives, November 16, 2023.

<sup>209</sup> “Law of the Republic of Azerbaijan on Grants,” as amended October 17, 2014, art. 2; and “Resolution No. 339 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Procedure for Foreign Donors to Obtain the Right for Provision of Grants in the Territory of the Republic of Azerbaijan,” December 4, 2015. Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown-government-critics#1392>.

<sup>210</sup> “Cabinet of Ministers of Azerbaijan Resolution 339,” and “Rules on obtaining the right to provide grants in the territory of the Republic of Azerbaijan by foreign donors,” October 22, 2015. Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown->

NGOs must register every grant agreement with the Ministry of Justice.<sup>211</sup> They are also, as a general rule, prohibited from receiving cash donations, as all donations must be received “as a bank transfer to the bank account of a non-governmental organization.”<sup>212</sup> NGOs are also required to register with the ministry any service contracts funded by foreign sources.<sup>213</sup> Failure to follow the reporting and funding rules can result in substantial financial penalties.<sup>214</sup> Using funds without the ministry’s approval constitutes illegal entrepreneurship, a criminal offense.<sup>215</sup>

The government has wide discretion to deny foreign grant registration or prolong the approval process. On some occasions, registered NGOs either have to postpone or stop planned work due to such delays.

A registered NGO told Human Rights Watch that they experienced a delay of nearly a year with the Ministry of Justice’s registration of a grant. While the group waited for the registration, the group’s management team covered the costs of the project out of their own pockets. At the time of the interview, the group had written to various state institutions, including the presidential administration, but had not received any news about the grant’s registration.<sup>216</sup>

An NGO that works on women’s rights said that in 2020 a delay in the grant registration process forced it to forego a project for which it had secured an EU grant. A staff member of the group said:

---

government-critics#1392, and Mahammad Guluzade and Natalia Bourjaily, “Foreign funding in Azerbaijan: challenges and perspectives,” <https://www.icnl.org/wp-content/uploads/Article-Guluzade-foreign-funding-in-Azerbaijan-fv.pdf> (accessed September 9, 2024).

<sup>211</sup> Decision of the Cabinet of Ministers of Azerbaijan Republic on the approval of the “rules of registering grant agreements (decisions)”, June 5, 2015, <https://e-qanun.az/framework/30212> [in Azerbaijani], (accessed August 26, 2024).

<sup>212</sup> With the exception of donations of up to 200 manat to charitable organizations. Law on Non-Governmental Organizations, art. 24-1.4.

<sup>213</sup> Rules on Registration of Service Contracts on Provision of Services or Implementation of Works by NGOs, as well as by Branches or Representative Offices of Foreign NGOs, from Foreign Sources, adopted by the Cabinet of Ministers of the Republic of Azerbaijan on October 21, 2015.

<sup>214</sup> ICNL, “Assessment of the Legal Framework for Non-Governmental Organizations in the Republic of Azerbaijan,” July 2017.

<sup>215</sup> Human Rights Watch, *Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society*, October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown-government-critics#1392>.

<sup>216</sup> Human Rights Watch interview with a staffer with a registered NGO Ramiz Aliyev, *Common Sense*, November 17, 2023.

In 2020, we hoped to work on a project financed by the EU mission. At the end of 2019, we submitted a grant contract for approval to MOJ [Ministry of Justice] but failed to get a timely answer.... When, after several months, we finally received MOJ permission, we had to forfeit our grant because the EU was not [willing] to begin the project.<sup>217</sup>

The same group was able to implement another project for which it had received EU funding, but only after it waited out a 10-month Ministry of Justice delay on the grant clearance. At the time of the interview, in August 2023, it was awaiting Ministry of Justice approval for two grants the group had submitted in August 2022 and February 2023. Even though the response deadline was 40 days from our meeting, neither of the grants had been approved when we spoke with members of the group.<sup>218</sup>

---

<sup>217</sup> Freedom Now online interview with the leader of a registered women's organization, August 17, 2023.

<sup>218</sup> Ibid.

## Deciding Not to Register an NGO

Some NGO leaders reported a reluctance to seek registration from the Ministry of Justice, fearing that it would give the government more opportunities to interfere with their work. Some try to keep a low profile in order to continue operating. Others felt the effort to register would be futile, having seen that organizations doing similar work had been denied registration and that the government does not fully implement European Court of Human Rights judgments in favor of NGOs that are unlawfully deprived of registration, as described below.

For example, an activist who was considering registering an analytical NGO he founded in 2020 asked other activists' advice about registering. He said,

Most of the NGO leaders I spoke with stressed that registration is a lever in the hands of the state to exert pressure on civil society. If I am registered, I must not only submit numerous financial reports to the authorities; the NGO would also be required to register grant contracts with the Ministry of Justice. Furthermore, the ministry could use any cause, at any time, to refuse the grant contract's registration and disrupt the NGO's operations.<sup>219</sup>

One prominent human rights activist described how, after the Ministry of Justice denied registration to the NGO he founded in 2012, he decided not to try again, out of fear of government interference:

If I had registration, the government would have more opportunities to limit our activities and work. For example, we would have to file many reports, financial and narrative.... Any change you have to the organization, its leaders, its activities, must be reported to the government. If you don't, you are fined. The government can [inspect]... your office whenever they want.<sup>220</sup>

According to the founder and director of an NGO that provides legal assistance:

---

<sup>219</sup> Freedom Now interview with the founder of an analytical NGO, August 17, 2023.

<sup>220</sup> Freedom Now interview with the founder, who is a previously imprisoned activist, Baku, July 25, 2023.

In 2021, we prepared the documentation and decided to apply for registration. We consulted with our [NGO] colleagues who advised against registration. We were told if registered, we would be under the spotlight and the authorities would surveil us even more. I decided against applying for registration.<sup>221</sup>

The founder also felt that because they had criticized the government publicly, the registration was unlikely to be successful.<sup>222</sup>

The director of an unregistered organization dedicated to gender equality felt the effort to register would be futile, including because the government does not implement European Court of Human Rights judgments regarding registration. They said:

[Our NGO] wanted to get registration, but the fact is that authorities do not foster a welcoming climate for registration. ... I am aware of examples when NGOs exhausted all national remedies after receiving a registration denial from the Ministry of Justice, yet even after filing a complaint with the ECHR, it took many years to see any changes, if any.<sup>223</sup>

Similarly, one activist working on LGBT rights explained their resignation about becoming legally registered:

We wish to register as a legal entity but have never applied. We did, however, learn about the experiences of other organizations that filed for registration but were denied.... It's all discouraging.... [O]ur partner organization ... applied for registration twice but never received a response.<sup>224</sup>

A human rights lawyer who served nearly two years in prison on false charges related to his NGO's finances in the 2014-2106 crackdown said:<sup>225</sup>

---

<sup>221</sup> Freedom Now online interview with an activist with a women's rights organization, September 28, 2023.

<sup>222</sup> Ibid.

<sup>223</sup> Freedom Now interview with activist with a equality-oriented organization, Baku, August 24, 2023.

<sup>224</sup> Freedom Now online interview with an activist with an organization that provides assistance to a particularly marginalized group, September 2, 2023.

<sup>225</sup> See Background section, above.

Practice has shown that registration, compliance with legal requirements, transparent activities in Azerbaijan are not a guarantee against arbitrariness. In principle, in the situation ... in Azerbaijan, registration actually has no meaning, unless the attitude of the authorities towards human rights, civil society organizations, especially human rights organizations, etc. changes.<sup>226</sup>

---

<sup>226</sup> Freedom Now interview with the human rights lawyer, details withheld, August 17, 2023.

## Azerbaijan’s Legal Obligations on Freedom of Association

The punitive and invasive elements of Azerbaijan’s NGO legislation are contradictory to Azerbaijan’s obligations under international and regional law to respect freedom of expression and association and have a choking effect on the exercise of those rights.

As a member of the Council of Europe since 2001 and party to the European Convention on Human Rights (ECHR) since 2002, Azerbaijan has strict and clear obligations to respect freedoms of association and expression.<sup>227</sup> Article 11 of the ECHR states that everyone has the right to freedom of association. The only permissible restrictions to this right are those that are “prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.”<sup>228</sup>

The European Court of Human Rights has consistently made clear that the right “to form a legal entity in order to act collectively in a field of mutual interest is one of the most important aspects of the right to freedom of association, without which that right would be deprived of any meaning.”<sup>229</sup> While a state has a right to regulate an association’s aims and activities, it must do so in a manner compatible with its obligations under the convention.<sup>230</sup> This includes an obligation to recognize the legal status of associations,

---

<sup>227</sup> European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), 213 U.N.T.S. 222, entered into force September 3, 1953, as amended by Protocols No. 3, 5, 8, and 11 which entered into force on September 21, 1970, December 20, 1971, January 1, 1990, and November 1, 1998, art. 11.

<sup>228</sup> ECHR, art. 11. Article 22 of the International Covenant on Civil and Political Rights (ICCPR), of which Azerbaijan is a state party, also sets out that the only restrictions permissible on freedom of association are those “which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”

<sup>229</sup> See for example, *Sidiropoulos and Others v. Greece*, Judgment of July 10, 1998, Reports of Judgments and Decisions 1998-IV, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-58205%22%5D%7D> (accessed August 17, 2024), para. 40; *Gozelik and Others v. Poland*, (Application no. 44158/98), Judgment of February 17, 2004 no. 44363/02, Judgment of February 1, 2007, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-79301%22%5D%7D> (accessed August 17, 2024), para. 54, *Zhechev v. Bulgaria*, (Application no. 57045/00) Judgment of June 21, 2007, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-75407%22%5D%7D> (accessed August 17, 2024) para. 34, and *Ismayilov v. Azerbaijan*, (Application no. 4439/04), Judgment of January 17, 2008, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-84461%22%5D%7D> (accessed August 17, 2024).

<sup>230</sup> *Ibid.*

and not to impose unnecessary delays or administrative burdens on any registration procedure in a way that would interfere with the right of association.<sup>231</sup>

## European Court of Human Rights Decisions

A number of European Court of Human Rights decisions have found that Azerbaijan violated the right to freedom of association. The Council of Europe's Committee of Ministers has united 19 such cases under what is called the *Ramzanova and Others v. Azerbaijan* group of cases. The committee is supervising the implementation of those judgments under a standard procedure.

In the first ruling in this group, *Ramzanova and Others v. Azerbaijan* (2007), the court concluded that “the significant delays in [the applicants’] state registration, which resulted in its prolonged inability to acquire the status of a legal entity, amounted to an interference by the authorities with the applicant’s exercise of their right to freedom of association.”<sup>232</sup> The court stressed that “significant delays in the registration procedure, if attributable to the Ministry of Justice, amounted to an interference with the right of the association’s founders to freedom of association.”<sup>233</sup>

In a number of cases, the court emphasized that the ability to form a legal entity is an essential aspect of freedom of association and found that the manner in which the Azerbaijani authorities delayed the registration process of these associations amounted to de facto refusals to register the organization.<sup>234</sup> The decisions emphasized the importance of clear and predictable registration procedures.

In two complaints from the *Ramzanova and Others v. Azerbaijan* group, the court also found that the authorities’ decisions to dissolve registered organizations for violating

---

<sup>231</sup> See for example, *Tsonev v. Bulgaria*, Judgment of April 13, 2006, para. 55.

<sup>232</sup> *Ramzanova and Others v. Azerbaijan*, para. 59. In April 2001, the applicants, four Azerbaijani residents, founded a public association “Assistance to the Human Rights Protection of the Homeless and Vulnerable Residents of Baku,” a non-profit group aimed at providing aid to the homeless and defending their interests. Between April 2001 and July 2002 the founders submitted four unsuccessful applications to the Ministry of Justice. The ministry returned the application documents four times without registering the group, each time claiming the group’s charter did not comply with the requirements of domestic law.

<sup>233</sup> *Ibid*, paras. 54-60.

<sup>234</sup> *Ibid*. In the following cases, the court similarly found that the delays and arbitrary prolongation of registrations of the respective organizations violated the freedom of association: *Aliyev and Others v. Azerbaijan*, (application no. 28736/05), Judgment of December 18, 2008 [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-90340%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-90340%22]}) (accessed August 17, 2024); and *Ismayilov v. Azerbaijan* and *Nasibova v. Azerbaijan* (Application No. 4307/04), Judgement of October 18, 2007, [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-82825%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-82825%22]}) (accessed August 17, 2024).



various legal regulations to be “drastic” and “disproportionate” and “unlawful” or “unjustified.”<sup>235</sup>

In its 2018 *Democracy and Human Rights Recourse Center and Mustafayev v. Azerbaijan* ruling, the court found unlawful the authorities’ freezing of the applicant’s bank accounts and imposition of travel bans. Most importantly, the court found that these measures pursued no legitimate aim, but rather served to “punish the applicants for their activities in the area of human rights and to prevent them from continuing those activities,” in violation of article 18 of the European Convention.<sup>236</sup>

In another key case, the court in 2019 found that the Azerbaijani government’s repeated refusals to register a human rights NGO, “Human Rights Club,” were unjustified and arbitrary and violated freedom of association. It found that domestic law on registration was unclear and open to interpretation, falling short of the “quality of law” requirement guaranteed under article 11 of the convention.<sup>237</sup>

In several other rulings that are not in the Ramzanova group of cases but that concern the politically motivated prosecution of NGO leaders and government critics, the court held that the government’s harsh regulation of NGO activity “cannot be simply ignored.” The court noted that the nature of the regulations leads to the criminalization of NGO activity.<sup>238</sup>

These and other rulings that have found Azerbaijan in violation of the right to freedom of association reveal a wider, systemic pattern, whereby Azerbaijani authorities enforce harsh and onerous administrative requirements and apply laws and regulations in an arbitrary and punitive manner, with the ulterior motives of denying or delaying the registrations of nongovernmental groups. These judgments also emphasize the chilling effect that such state practices have on civil society. By creating an atmosphere of uncertainty, fear, and legal obstacles, with virtually no domestic recourse, the Azerbaijani government effectively discourages civic engagement, activism, and the

---

<sup>235</sup> *Tebieti Muhafize Cemiyeti and Israfilov v. Azerbaijan* (Application No. 37083/03) and *Islam-Ittihad Association and Others v. Azerbaijan* (Application No. 5548/05).

<sup>236</sup> *Democracy and Human Rights Resource Center and Mustafayev v. Azerbaijan* (Applications nos. 74288/14 and 64568/16), <https://www.justiceinitiative.org/uploads/dbeb4339-f8f8-4f83-9db9-0054a64d8ac2/dhrc-v-azerbaijan-judgment-10142021.pdf> (accessed August 12, 2024), para. 110.

<sup>237</sup> *Jafarov and Others v. Azerbaijan* (Application No. 27309/06), the judgement became final on October 25, 2019.

<sup>238</sup> *Yunusova and Yunusov v. Azerbaijan*, (Application no. 68817/14), judgment rendered on 16 July 2020, para. 192. See also *Rasul Jafarov v. Azerbaijan*, (application 69981/14), judgment of 04 July 2016, para 120.

formation of independent organizations, which are vital for holding the government accountable.

### *Implementation of European Court Decisions*

Azerbaijan, like all states party to the European Convention on Human Rights, is obligated to implement European Court of Human Rights judgments. The Council of Europe's Committee of Ministers is responsible for overseeing the implementation of these judgments. Azerbaijan is required to pay the monetary compensation and legal fees awarded by the court. What is more, when indicated by the Committee of Ministers, Azerbaijan must implement measures in each individual case to rectify the violations and adopt policy and legal changes (also known as general measures) to prevent similar violations from recurring.

Once the Committee of Ministers concludes that the state has taken all the necessary measures to implement the judgment, it adopts a resolution to this effect.<sup>239</sup>

Azerbaijan stands out among states party to the European Convention for having the highest number of non-implemented European Court judgments. More than 320 court judgments against Azerbaijan have not yet been executed or have been only partially implemented.<sup>240</sup>

In its regular communications with the Committee of Ministers, called "action reports," the government of Azerbaijan provides updates on the implementation of the judgments in the *Ramazanova and Others v. Azerbaijan* group of cases.<sup>241</sup> In the most recent action report, dated October 2023, the authorities claimed that they had paid in

---

<sup>239</sup> Until a state has implemented the judgment, however, the case remains on the committee's agenda. If a state fails to implement a judgment, the Committee of Ministers can adopt an interim resolution noting the failure to comply with the Convention.

<sup>240</sup> Challenge, On Substantive Grounds, of the Still Unratified Credentials of the Parliamentary Delegation of Azerbaijan, Report, Doc. 15898, January 23, 2024, Committee on the Honoring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), Council of Europe Parliamentary Assembly, <https://pace.coe.int/en/files/33302/html> (accessed August 26, 2024). See also, "Committee of Ministers of the Council of Europe Calls on Azerbaijan to Implement ECHR Decisions," Turan.az <https://turan.az/en/politics/committee-of-ministers-of-the-council-of-europe-calls-on-azerbaijan-to-implement-echr-decisions-784869> (accessed September 23, 2024).

<sup>241</sup> All case documents can be found at [https://hudoc.exec.coe.int/#{%22display%22:\[2\],%22execdocumenttypecollection%22:\[%22CEC%22\],%22execappno%22:\[%224363/02%22\],%22execidentifier%22:\[%22004-1607%22\]}](https://hudoc.exec.coe.int/#{%22display%22:[2],%22execdocumenttypecollection%22:[%22CEC%22],%22execappno%22:[%224363/02%22],%22execidentifier%22:[%22004-1607%22]}) (accessed on August 13, 2024).

full the just satisfaction owed to all the applicants in these cases, and urged the Committee of Ministers to close the relevant parts of the supervision process.<sup>242</sup>

In a June 2022 action report, the government claimed that it had implemented a number of general measures, such as amending the legislative framework for NGO registration to increase transparency and simplify the procedures through an online application process.<sup>243</sup> However, in reality, several lawyers reported that the Ministry of Justice continues to accept application documents in paper form only.<sup>244</sup>

The authorities also erroneously claim that they made “substantial progress” in the registration process in 2021 and 2022, and that “currently there are no institutional impediments somehow hindering the registration process.”<sup>245</sup>

As documented in this report, however, the authorities continue to deny registration to newly founded groups, particularly those working on human rights issues. Officials create significant hurdles for registration, and their decisions continue to be unjustified and arbitrary.

Azerbaijani authorities also contend that nongovernmental groups can fully operate without official registration in the country, claiming that registration is a right, rather than an obligation for NGOs.<sup>246</sup>

However, while Azerbaijani legislation does not require public associations to be officially registered to operate, in practice, as documented in this report, unregistered groups are significantly restricted in their ability to enjoy their right to freedom of association. Denial of registration as a legal entity prevents the groups from engaging in a wide range of operations, such as renting an office or hiring employees, and also prevents them from opening a bank account or receiving grants. Without the

---

<sup>242</sup> Communication from Azerbaijan concerning the case of Ramazanova and Others v. Azerbaijan, Action Report, October 20, 2023, [https://hudoc.exec.coe.int/#{%22execidentifier%22:\[%22DH-DD\(2023\)1268E%22\]}](https://hudoc.exec.coe.int/#{%22execidentifier%22:[%22DH-DD(2023)1268E%22]}) (accessed August 13, 2024).

<sup>243</sup> Communication from Azerbaijan concerning the group of cases of Ramazanova and Others v. Azerbaijan, Action Plan, June 30, 2022, at [https://hudoc.exec.coe.int/#{%22execidentifier%22:\[%22DH-DD\(2022\)692E%22\]}](https://hudoc.exec.coe.int/#{%22execidentifier%22:[%22DH-DD(2022)692E%22]}) (accessed on August 13, 2024).

<sup>244</sup> Human Rights Watch interviews with lawyers assisting NGOs in registration procedures, August 2024.

<sup>245</sup> Communication from Azerbaijan concerning the group of cases of Ramazanova and Others v. Azerbaijan, Action Plan, June 30, 2022, para. 3.

<sup>246</sup> Ibid.

opportunity to legally finance their work, NGOs are left with the false choice of refraining from carrying out activities or, as documented in this report, taking on the risk of operating on the margins of the law, making the groups and their leaders vulnerable to criminal prosecution.

The European Court has already considered this very issue in *Ramazanova and Others vs Azerbaijan*, when it noted that even if an association has a theoretical right to exist without state registration, a domestic legal regulation that prevents the association from receiving any “grants” or financial donations effectively prevents the association from performing its work, thus interfering with the right to association.<sup>247</sup>

## Other International Organizations’ and Governments’ Criticism of Restrictions on NGOs

For many years, Azerbaijan’s international partners have criticized the government’s attacks on human rights, human rights defenders, political opponents, critical journalists, independent media outlets, and independent civil society.

Criticism of the most recent dramatic crackdown include an April 25, 2024 European Parliament resolution calling for Azerbaijan to “repeal repressive legislation that drives independent non-governmental organisations and media to the margins of the law.” It also states that “the ongoing human rights violations in Azerbaijan are incompatible with the country’s preparations to host COP29; demands that the organisers ensure that human rights, fundamental freedoms and effective civil society participation are fully enshrined and guaranteed in the Host Country Agreement.”<sup>248</sup> This is the second European Parliament urgency resolution on the human rights situation in the country over the last two years, following the September 2023 resolution on “The case of Dr Gubad Ibadoghlu, imprisoned in Azerbaijan.”<sup>249</sup>

The US, German, French, and UK governments signed a joint statement in July 2023 regarding Gubad Ibadoghlu, calling on the Azerbaijani government “to ensure that Dr

---

<sup>247</sup> *Ramazanova and Others v. Azerbaijan*, paras. 54-60.

<sup>248</sup> European Parliament, “Resolution of 25 April 2024, Azerbaijan, notably the repression of civil society and the cases of Dr Gubad Ibadoghlu and Ilhamiz Guliyev,” Strasbourg, April 25, 2024 [https://www.europarl.europa.eu/doceo/document/TA-9-2024-0369\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2024-0369_EN.html) (accessed August 23, 2024).

<sup>249</sup> European Parliament, “Resolution of 14 September 2023 on the Case of of Dr Gubad Ibadoghlu, Imprisoned in Azerbaijan,” Strasbourg, September 14, 2023, [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0323\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0323_EN.html) (accessed August 27, 2024).

Ibadoglu's human rights are respected, including access to medication and fair legal process.”<sup>250</sup>

In April 2024, the EU's High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, reiterated the EU's concerns on the intensification of persecution against civil society and independent media in Azerbaijan, which he described as “an attempt to intimidate and silence dissenting voices, and suppress freedom of expression,” and called on the authorities “to allow civil society organizations to operate freely in the country.” Borrell also highlighted the cases of Gubad Ibadoglu and Ilhamiz Guliyev and called on the authorities to ensure the rights of detained persons, including their access to medical assistance.<sup>251</sup>

Another April 2024 statement by the EU noted the “unsettling rise of arrests of independent journalists, human rights defenders, and political activists on politically motivated charges,” including Abzas Media, Toplum TV, Kanal 11 and Kanal 13, political movements, such as *Platform III Republic*, labor rights groups, and other organizations, such as the *Institute for Democratic Initiatives*. It also highlighted COP29:

Civil society participation is at the centre of the UN Global Conference on Climate Change (COP 29), which Azerbaijan will host in November. COP 29 is an opportunity for Azerbaijan to reaffirm its commitment to its obligations under international law, and to create the conditions for the work of a free and independent civil society.<sup>252</sup>

A report by the Parliamentary Assembly of the Council of Europe (PACE) in January 2024, explaining a challenge to Azerbaijan's PACE membership credentials, was unsparing in its criticism: “NGOs continue to operate in a very repressive environment under the restrictive legislative framework.” It also noted “very serious concerns about restrictions on the rights to freedom of expression, media freedom and freedom of association and assembly which have a negative impact on the overall situation of civil

---

<sup>250</sup> Joint Statement From US, Great Britain, Germany and France On Dr. Gubad Ibadoglu, July, 28, 2023, <https://az.usembassy.gov/abs-boyuk-britaniya-almaniya-v%C9%99-fransa-s%C9%99firlikli%C9%99rinin-qubad-ibadoglunun-h%C9%99bsi-il%C9%99-bagli-birg%C9%99-b%C9%99yanati/> (accessed August 26, 2024).

<sup>251</sup> Azerbaijan: Speech by High Representative/Vice-President Josep Borrell in the EP plenary on Repression of Civil Society, Strasbourg, April 24, 2024, [https://www.eeas.europa.eu/eeas/azerbaijan-speech-high-representativevice-president-josep-borrell-ep-plenary-repression-civil\\_en](https://www.eeas.europa.eu/eeas/azerbaijan-speech-high-representativevice-president-josep-borrell-ep-plenary-repression-civil_en) (accessed August 26, 2024).

<sup>252</sup> Azerbaijan: Statement by the Spokesperson on the Human Rights Situation, Azerbaijan, May 29, 2024, [https://www.eeas.europa.eu/eeas/azerbaijan-statement-spokesperson-human-rights-situation\\_en](https://www.eeas.europa.eu/eeas/azerbaijan-statement-spokesperson-human-rights-situation_en) (accessed August 26, 2024).

society, including human rights defenders, civil and political activists as well as journalists and bloggers.” The report also said, “The right to freedom of expression and media freedom is constantly violated through the harassment and intimidation of journalists and other people publicly criticising the government.”<sup>253</sup> PACE voted not to ratify the Azerbaijani delegation’s credentials, thereby suspending it.<sup>254</sup>

---

<sup>253</sup> Challenge, On Substantive Grounds, of the Still Unratified Credentials of the Parliamentary Delegation of Azerbaijan, Report, Doc. 15898, January 23, 2024, Committee on the Honoring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), Council of Europe Parliamentary Assembly, <https://pace.coe.int/en/files/33302/html> (accessed August 26, 2024).

<sup>254</sup> PACE Resolves Not to Ratify the Credentials of Azerbaijan’s Parliamentary Delegation, Citing a Failure to Fulfil ‘Major Commitments’, PACE news release, Strasbourg, January 25, 2024, <https://www.coe.int/en/web/portal/-/pace-resolves-not-to-ratify-the-credentials-of-azerbaijan-s-parliamentary-delegation-citing-a-failure-to-fulfil-major-commitments-> (accessed August 26, 2024).

## Acknowledgments

This report was researched in collaboration between Human Rights Watch and Freedom Now, a non-partisan, independent, human rights organization. The team of researchers included Arzu Geybulla, research consultant with Human Rights Watch’s Europe and Central Asia division, Tamar Chanturia, Eurasia Program Coordinator at Freedom Now, Maran Turner, former executive director of Freedom Now, and, Giorgi Gogia, associate director with Human Rights Watch’s Europe and Central Asia division.

This report was written by Jane Buchanan, an independent human rights expert, Giorgi Gogia, and Arzu Geybulla.

Rachel Denber, deputy director with Human Rights Watch’s Europe and Central Asia division, edited the report. Holly Cartner, senior legal advisor at Human Rights Watch provided legal review. Joseph Saunders, deputy program director at Human Rights Watch, and Andrea Prasow, executive director of Freedom Now, reviewed the report. Iskra Kirova, advocacy director with Human Rights Watch’s Europe and Central Asia division, and Myrto Tilianaki, senior advocate with the Environment and Human Rights division at Human Rights Watch, and Karl Horberg, program director at Freedom Now, also reviewed parts of the report.

The report was prepared for publication by Ellen Bleier, senior associate, Europe and Central Asia division; Travis Carr, publications officer; and Fitzroy Hepkins, senior administrative manager.

Human Rights Watch and Freedom Now express their sincere thanks to the human rights defenders, lawyers, journalists, political activists, and their family members who shared their experiences with us and provided invaluable support for this research.

# “We Try to Stay Invisible”

## Azerbaijan’s Escalating Crackdown on Critics and Civil Society

Azerbaijani authorities continue their assault on critics and dissenting voices. They use politically motivated criminal charges to prosecute and imprison human rights defenders, journalists, and civic and political activists, and arbitrarily enforce highly restrictive laws regulating non-governmental organizations (NGOs). The crackdown has intensified in the lead-up to the November 2024 UN Climate Conference (COP29) in Baku. Among those being prosecuted are veteran human rights defender Anar Mammadli, who co-founded a climate justice NGO, prominent anti-corruption activist and academic Gubad Ibadoghlu, and media professionals with the independent outlets Abzas Media and Toplum TV. Many independent groups have had to close, and activists have had to go into exile or continue their legitimate work on the margins of the law, at great personal risk.

“*We Try to Stay Invisible*” is based on over 40 interviews with NGO leaders, lawyers, journalists, youth activists, and others, as well as in-depth analysis of laws and regulations used to target or constrain NGOs. The report documents the government’s concerted efforts to silence critical voices in the country.

Human Rights Watch and Freedom Now call on the Azerbaijani government to immediately and unconditionally release those held on politically motivated charges, end the crackdown against civil society and independent media, and ensure that civil society groups and independent media can operate without undue hindrance before, during and after COP29. They should also amend repressive laws regulating NGOs. It calls on Azerbaijan’s international partners to set clear expectations for human rights improvements and impose concrete policy consequences should those requirements not be met.



*Police seize a poster that reads “Journalism is Not a Crime” during a protest by journalists in front of the Azerbaijan parliament building, December 28, 2021, Baku. In November 2023, Azerbaijani authorities arrested Abzas Media director Ulvi Hasanli, pictured on the right, and five of his colleagues on bogus charges. All six remain in pretrial detention. © 2021 Aziz Karimov/Getty Images*