



Azerbaijan's use of Pegasus spyware in violation of human rights

Azerbaijan's international and domestic human rights obligations

Azerbaijan has signed the Universal Declaration of Human Rights (UDHR) and ratified the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), among other international human rights instruments. Azerbaijan's Constitution protects the rights to privacy, freedom of expression, freedom of peaceful assembly and association, and remedy on and offline.

Pegasus hacking violates human rights

Pegasus is spyware sold by the Israeli surveillance company NSO Group that can be secretly installed onto mobile devices to give the attacker full access to the entirety of the victim's device, including contacts, messages, photos, and even the camera and microphone, in real time. The use of spyware, such as Pegasus, threatens a wide range of fundamental human rights, including the rights to privacy, freedom of opinion and expression, information, peaceful assembly, association, family life, health, education, and work, among others.

Use of Pegasus spyware against Azerbaijanis

The Pegasus Project investigation by Amnesty International, Forbidden Stories, and media organizations identified more than 1,000 Azerbaijani phone numbers selected for targeting with Pegasus spyware. Of these, the Pegasus Project identified 245 individuals who used these numbers, including media workers, human rights defenders, lawyers, opposition figures, and academics. Amnesty International forensically confirmed that five of the individuals from the list had their devices infected with Pegasus, including a former RFE/RL Azerbaijan journalist, Khadija Ismayilova. A number of the affected individuals have subsequently filed lawsuits with domestic courts in Azerbaijan and with the European Court of Human Rights (ECtHR). The Azerbaijani authorities have taken no meaningful steps to investigate these abuses.

Use of Pegasus spyware against Armenians

A joint investigation between Access Now, CyberHUB-AM, Citizen Lab, Amnesty International, and independent researcher Ruben Muradyan, uncovered hacking of civil society victims in Armenia with Pegasus spyware in the context of Nagorno-Karabakh conflict. The victims are Kristinne Grigoryan, a former Human Rights Defender of the Republic of Armenia; Anna Naghdalyan, a former spokesperson of Armenia's Foreign Ministry; Astghik Bedevyan and Karlen Aslanyan, Radio Azatutyun (RFE/RL) journalists; Ruben Melikyan, Path of Law co-founder; Dr. Varuzhan Geghamyan, Yerevan State University professor; Samvel Farmanyan, ArmNews TV co-founder; a United Nations official; and four other Armenian civil society representatives. Citizen Lab has identified at least two Pegasus operators in Azerbaijan, one of which targets victims within Azerbaijan, while the other operator targets individuals within Armenia.

Recommendations

- Adhere to international human rights standards and uphold commitments to promote and protect the right to privacy and data protection, freedom of expression, freedom of peaceful assembly and association, and the right to effective remedy, on- and offline;
- End the practice of illegal surveillance, particularly through the use of Pegasus hacking software, to target and harass journalists, civil society activists, lawyers, opposition figures, humanitarian workers, and human rights defenders, at home and abroad;
- Ensure prompt, impartial, and independent investigation into the allegations of hacking through the use of Pegasus software, at home and abroad, and hold individuals accountable for such illegal surveillance; and
- Cooperate with the ECtHR, UN, and other international and regional investigative bodies, and issue standing invitations to UN Special Procedures, including the UN Special Rapporteurs on freedom of opinion and expression, freedom of peaceful assembly and association, and the right to privacy to visit the country.

For more information, please contact: un@accessnow.org

For direct digital security assistance for civil society actors, such as civil society groups and activists, media organizations, journalists and bloggers, and human rights defenders, please contact: help@accessnow.org