

Azerbaijan's use of spyware in violation of human rights

UPR Pre-Session on Azerbaijan

Geneva, August 29, 2023



Access Now (<https://www.accessnow.org>) defends and extends the digital rights of people and communities at risk.

By combining direct technical support, strategic advocacy, grassroots grantmaking, and convenings such as RightsCon, we fight for human rights in the digital age.

ROADMAP

- 1. Recommendations from Previous Review**
- 2. Azerbaijan's unlawful use of spyware in violation of human rights**
- 3. Recommendations**

Recommendations from Previous Cycle

- During the third UPR cycle, Azerbaijan received 265 recommendations, 19 related to **digital rights**, including:
 - **Protection of journalists, HRDs, and other civil society actors** from harassment and persecution, online and offline
 - **Guarantee of the right to freedom of expression and freedom of assembly and association**, online and offline
 - **Implementation of the the United Nations Guiding Principles on Business and Human Rights**, taking into account the recommendations from the Working Group on business and human rights

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

- In 2021, Amnesty International's Pegasus Project identified over **1,000 Azerbaijani phone numbers** selected for state surveillance with **Pegasus spyware**. **245 of these numbers** belonged to Azerbaijani individuals were identified as media workers, activists, HRDs, lawyers, opposition figures, business people, and academics.
- Amnesty International confirmed **the phones of 5 individuals** were infected, including RFE/RL Azerbaijan journalists
- Despite complaints, Azerbaijani **authorities have not conducted an effective investigation** into the matter.

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- In May 2023, Access Now & partners documented **Pegasus hacking** of iPhones of **12 Armenian civil society actors** in the context of Nagorno Karabakh war, including:
 - Two Radio Azatutyun journalists
 - Armenian Human Rights Ombudswoman
 - NGO representative & former Armenia MFA spokesperson
 - Anonymous United Nations worker
 - Activists, media workers, and a university professor
- Citizen Lab found **two operators of Pegasus spyware in Azerbaijan**, targeting victims in Azerbaijan and Armenia
- **No investigation has been launched**

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- Spyware threatens the right to **privacy, freedom of expression and access to information, peaceful assembly, association, family life, health, education, work, freedom from torture, and more.**
- Use of spyware against civilians and humanitarian actors in armed conflict may **violate international humanitarian law.**
- UNGA condemned **unlawful or arbitrary surveillance** and interception of communications that **interfere with human rights.**
- Calls for **spyware moratorium** by: SRs on FoE, FoA, racism & discrimination, extrajudicial killings, HRDs; High Commissioner for Human Rights; Costa Rica; Catalonia, and hundreds of NGOs & experts.

Recommendations

- **End surveillance**, through the use of Pegasus hacking and similar software, of journalists, activists, lawyers, opposition figures, and HRDs at home and abroad;
- **Ensure prompt, impartial, and independent investigation** into hacking allegations and hold individuals accountable for illegal surveillance; and
- **Fully cooperate with ECrHR, the UN, and all regional and international investigative bodies** with respect to investigation of Pegasus hacking and other illegal surveillance

Thank you!

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

Need help?

Contact the Access Now Digital Security Helpline:

help@accessnow.org