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Oral Statement
20 September, 2013

Item 6 - Adoption of the outcome of the UPR of Azerbaijan

Human Rights Watch welcomes the Universal Periodic Review report on Azerbaijan, which includes critical recommendations to improve the situation with regard to freedom of expression, assembly, and association. Although Azerbaijan has yet to indicate its acceptance of recommendations made by member states during the UPR, its leadership needs to take immediate steps to protect free speech, guarantee freedom of the media, allow freedom of assembly, and end undue interference with freedom of association.

Azerbaijan's record on freedom of expression, assembly, and association has been on a steady decline for some years, but it has seen a dramatic deterioration since mid-2012 and in the run up to the October 9, 2013, presidential elections. The government has been engaged in a concerted effort to curtail opposition political activity, punish public allegations of official corruption and other criticism of government practices, and exercise greater control over nongovernmental organizations. Since mid-2012, authorities have arrested dozens of political activists on bogus charges, imprisoned critical journalists, broken up peaceful public demonstrations, and adopted legislation imposing new restrictions on freedom of expression, assembly and association.

~~Human Rights Watch [welcomes / is appalled]~~ that Azerbaijan [~~accepted / rejected~~] recommendations regarding the need to release individuals imprisoned for publicly expressing their opinions and to ensure due process for other detainees. Our research shows that individuals arrested and imprisoned have included several high-ranking members of opposition political parties, government critics who frequently blog or have large followings on social media, and people who have been consistently involved in political protests in Azerbaijan. Authorities have used a range of trumped-up misdemeanor and criminal charges against these activists, including narcotics and weapons possession charges, hooliganism, incitement, and even treason.

~~Human Rights Watch [welcomes / deeply regrets]~~ that the government has [~~accepted / rejected~~] important recommendations in the UPR report to improve freedom of expression and media freedoms, as well as to decriminalize defamation. Azerbaijan has a longstanding record of deep state antagonism toward independent and opposition media. Since January 2013, at least six journalists have been sentenced to prison on spurious charges in apparent retaliation for critical and investigative journalism. In at least four cases in 2013 threats, smear campaigns, or violent attacks were clearly used to try to silence critical journalists and a writer. In May, Azerbaijan expanded defamation to specifically include statements made online.

Azerbaijan [~~committed to implement the / deeply regrets the government's lack of~~] recommendations made to ensure freedom of assembly. It has implemented a blanket ban on all opposition demonstrations in Baku center since 2006. Police break up unsanctioned ones – often with violence – and arrest and imprison peaceful protesters, organizers, and participants. In November 2012

and May 2013 parliament adopted amendments to laws increasing more than hundredfold the fines for participating in and organizing unauthorized protests. Other amendments increased the maximum jail sentence for minor public order offenses from 15 to 60 days. The offences are often used to incarcerate protesters. These legal changes should be repealed.

A number of states made recommendations for Azerbaijan to revise its law on NGOs to comply with international human rights law. February 2013 legislative amendments make it impossible for unregistered groups to legally receive grants and donations. In recent years the authorities' refusal to register several human rights groups and the closure and harassment of several others demonstrates the government's determination to interfere with civil society in order to restrict controversial work or criticism of the government.

The UPR represents a critical opportunity for Azerbaijan to reverse the dramatic downward spiral that has characterized its rights record in recent years, and commit to a series of much needed reforms. We [urge the government to seize this opportunity by implementing recommendations /
~~Azerbaijan should also take steps to ensure that the rights of all individuals are protected and that the government is held accountable for its actions.~~
~~by the government to ensure that the rights of all individuals are protected and that the government is held accountable for its actions.~~] made by member states in relation to freedom of expression, assembly, and association. The now accepted visits by several Special Procedures of the Human Rights Council should be among the first steps toward urgently needed reforms.