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Azerbaijan's Persecution of RFE/ RL Reporter Khadija Ismayilova

Chairman Chris Smith (NJ-04)
Commission on Security and Cooperation in Europe
Excerpts of Remarks
December 16, 2015

Good afternoon and I want to thank you all for being here today to discuss the terrible plight of political prisoners in Azerbaijan and in particular the imprisonment of journalist Khadija Ismayilova.

Khadija has done hard-hitting investigative reports on corruption at the highest levels in Azerbaijan. Khadija's reporting hit its mark and the security services in Azerbaijan tried to intimidate Khadija from future reporting. They tried to blackmail her with compromising information; they threatened her with arrest; she was always under watch.

But Khadija stood firm and stayed focused on her work. In December 2014 she was arrested and is now paying for her exemplary journalism with the loss of her freedom. The government convicted her on spurious charges of embezzlement, illegal entrepreneurship, tax evasion and abuse of power. She is now serving a seven-and-a-half year sentence in a women's prison in Baku.

Much of Khadija's reporting was done as a journalist for U.S.-funded Radio Free Europe/Radio Liberty. This means that the U.S. government has a special obligation to do everything it can to secure Khadija's release. That means our government must take every opportunity, must leave no stone unturned, in the effort to secure her release. The State Department must make Khadija's release a true diplomatic priority – not a talking point on page two of its issue briefers.

One of the questions we will pursue today is whether and to what extent our witnesses believe our government is doing that. At this point I would say that we did invite the State Department to present testimony today – unfortunately the appropriate witnesses are on official travel this week. I hope to be able to discuss this matter with them when they return.

Human rights organizations have documented Azerbaijan's crackdown on civil society over the last three years. Just yesterday the Committee to Protect Journalists released its annual

report, and in the report they find that Azerbaijan now leads all of the countries in Eurasia in jailing journalists. In 2015 Azerbaijan jailed 8 journalists. Today we are focusing on Khadija's case, but there are dozens of other political prisoners, including journalists, sitting in a jail cell in Azerbaijan.

Judicial processes against political prisoners are often farcical. In Khadija's case the prosecutors charged her initially with "incitement to suicide" – their case collapsed when their witness retracted. The prosecutor also charged that she had illegally signed service agreements with some RFE/RL employees. The prosecution never produced any of the 11 agreements they said she signed, and the four witnesses called to testify for the government's case denied that they had signed such agreements with Khadija.

Today is the one-year anniversary of **Anar Mammadli's** sentencing. Anar is the courageous head of EMDS, the leading election monitoring organization in Azerbaijan. He spoke the truth about the fraudulent 2013 presidential election and is still paying the price. I met with Anar's father– a very gentle man – just a few months after Anar was arrested and so have seen how Anar's family is suffering from this injustice.

I'd like to mention the names of a few more political prisoners in Azerbaijan.

- **Ilgar Mammadov:** this opposition politician was severely beaten in jail on October 16. Despite winning an European Court of Human Rights case that said his prosecution was politically motivated, the government of Azerbaijan will not free him.
- **Intigam Aliyev:** this leading human rights lawyer is serving 7.5 years for his work seeking justice for political prisoners;
- **Rasul Jafarov:** this human rights activist is serving a 6.5 year sentence because the government would not register his NGO.

There are many, many more--including many that are in prison for peacefully practicing their religion.

In total, the Norwegian Helsinki Committee estimates that there are 80 political prisoners in Azerbaijan.

That is why today I introduced the **Azerbaijan Democracy Act of 2015 (H.R. 4264)**, a bill that will protect U.S. interests in the region by advancing human rights and promoting democracy in Azerbaijan. The bill recognizes the key role that Azerbaijan's senior leadership has played in the decimation of independent voices like Khadija's. Therefore the bill will ban their travel to the United States. Our country should not set out the welcome mat for officials that imprison journalists and opposition politicians or religious believers who peacefully exercise their right to freedom of speech and freedom of assembly.

Over the last two years the human rights situation has seriously deteriorated in Azerbaijan causing damage to its relations with the United States and other countries, and has

damaged its own society by imprisoning or exiling some of its best and brightest citizens. The time has come to send a clear message.

Today the Council of Europe is sending that same message to Azerbaijan. The Secretary General announced that he is investigating the human rights situation in Azerbaijan to determine whether or not Azerbaijan is meeting their Council of Europe commitments. This is a very rare step for the Council of Europe and the first time that this Secretary General has launched this type of inquiry.

A week ago Azerbaijan gave medical parole to two of its most prominent political prisoners, Leyla and Arif Yunus. We should all welcome their release – yet it is only a first step in their case. They are still under house arrest. And we have not seen even a first step in so many other cases. I urge you all to work with me to pass the Azerbaijan Democracy Act – which would put the United States government firmly and vigorously behind the patriotic and brave Azerbaijanis who are fighting for human rights, democracy, and just government. It is their fight – but they deserve our support.