

CRUDE ACCOUNTABILITY

P.O. Box 423, Linden, VA 22642, 540-252-2592
www.crudeaccountability.org

Human Rights Violations in Azerbaijan in the Lead-up to COP 29

Testimony for the Tom Lantos Human Rights Commission

Hearing on Human Rights in Azerbaijan

Kate Watters, Crude Accountability

September 19, 2024

It is an honor to have the opportunity to provide testimony on the human rights situation in Azerbaijan. Thank you for the invitation.

My name is Kate Watters, and I am the executive director of Crude Accountability, a Virginia-based human rights and environmental NGO that works with communities impacted by oil and gas development. Our geographic focus includes the Caucasus, including Azerbaijan, where we have worked closely with activists and groups on the ground since our founding in 2003. Our main area of interest is the intersection of environment, climate, and human rights in the context of oil and gas extraction, development, and transport.

We do not work in Armenia or Nagorno-Karabakh, so my comments today are focused solely on Azerbaijan, and I will pay particular attention to the current human rights situation in the lead up to the COP 29 meeting, which will be held in November of this year in Baku.

Brief Background

Azerbaijan is a country of some 10 million people¹ in the southern Caucasus region with the Caspian Sea to the east, Iran to the south, Armenia to the west, and Georgia and Russia to the north. The country is authoritarian, with most power in the hands of President Ilham Aliyev, who has ruled Azerbaijan since his father, the previous president Heydar Aliyev, died in October 2003.² The administration is rife with corruption, ranking 157 out of 180 countries in Transparency International's Corruption Perceptions Index, a global indicator of public sector corruption.³ Although official statistics put the percentage of the population living below the poverty line at around 5%,⁴ unofficial data posits a much higher number.⁵ As one Azerbaijani citizen told Crude Accountability, "We are the richest country. We are the poorest people."⁶ Azerbaijan is designated as "not free" in Freedom House's 2024 Freedom in the World Report, scoring seven of 100 possible points. On political rights, the country earns zero out of 40 points, and for civil liberties, seven of 60.⁷ In short, Azerbaijan is far from being a democratic, free country.

Azerbaijan's Human Rights Record

According to Human Rights Watch, "Azerbaijan has a persistent record of using bogus charges to imprison government critics, routinely manipulating or fabricating evidence."⁸

¹ <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=AZ>, accessed October 6, 2021.

² https://en.wikipedia.org/wiki/Ilham_Aliyev, accessed September 21, 2023.

³ <https://www.transparency.org/en/countries/azerbaijan>, accessed September 21, 2023.

⁴ <https://www.adb.org/countries/azerbaijan/poverty>, accessed September 21, 2023.

⁵ "Poverty, repression in Shadow of Azerbaijan's Shiny New Skyline," AFP, August 4, 2019, <https://www.france24.com/en/20190408-poverty-repression-shadow-azerbaijans-shiny-new-skyline>, accessed September 21, 2023.

⁶ Crude Accountability interview, August 2021.

⁷ <https://freedomhouse.org/country/azerbaijan/freedom-world/2024>.

⁸ <https://www.hrw.org/news/2018/09/20/azerbaijan-continues-crackdown-civil-society>.

During the past year and a half, the government of Azerbaijan has cracked down on civil society activists and journalists, who it perceives act or speak in opposition to the authorities.⁹ Using fabricated charges, violating the rights of those arrested, and using torture and inhumane treatment, the government of Azerbaijan blatantly arrests, mistreats, and detains those it seeks to silence. As of June of this year, the Union for Freedom of Political Prisoners in Azerbaijan states that there are 303 political prisoners in Azerbaijan.¹⁰ This number represents an increase of 49 individuals since last December. And, we know that there have been at least two additional politically motivated arrests in Azerbaijan in July and August. In short, the numbers are appalling and represent a harsh response to civic engagement by the government of Azerbaijan. Azerbaijan is party to numerous international human rights treaties, which recognize the right to not be arbitrarily deprived of liberty, including the International Covenant on Civil and Political Rights, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.¹¹

Azerbaijan's constitution and criminal code prohibit the use of torture, yet, according to testimony we receive from political prisoners, and according to the US State Department's Country Report on Human Rights Practices in Azerbaijan, "multiple credible allegations of torture and other abuses continued. Most mistreatment took place while detainees were in police custody, where authorities reportedly used abusive

⁹ <https://humanrightshouse.org/reports/unprecedented-crackdown-on-civil-society-in-azerbaijan-ahead-of-european-olympic-games-says-report/>

¹⁰ <https://www.1lurer.am/en/2024/06/14/New-list-of-political-prisoners-published-in-Azerbaijan-which-includes-303-people/1142421>.

¹¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/230/23/PDF/G1723023.pdf?OpenElement>, pp.4-5.

methods to coerce confessions. Authorities reportedly denied detainees timely access to family, independent lawyers, or independent medical care.”¹² These statements correspond to the information that Crude Accountability has received from family members of those arbitrarily detained during the past year.

The State Department Report also documents use of torture, including beatings and threats of rape. The report also documents harsh prison conditions such as “cramped, overcrowded conditions, inedible food, poor sanitary facilities, inadequate ventilation, and insufficient access to medical care.”¹³ There are also reports of prisoners enduring lengthy confinement periods without any opportunity for physical exercise.

Reports of arbitrary detention, denial of access to a fair trial, and trial procedures themselves closely resemble the accounts Crude Accountability hears from Azerbaijani colleagues.

In addition to the US State Department’s Country Report for Azerbaijan, there is extensive documentation of Azerbaijan’s human rights violations by respected human rights organizations, including Human Rights Watch¹⁴ and Amnesty International.¹⁵ In my written remarks, I have included links to their critically important reports on this issue. Additionally, there are numerous media reports on the recent abuses in Azerbaijan.

¹² <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/azerbaijan/>, Section c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

¹³ <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/azerbaijan/>

¹⁴ <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan>

¹⁵ <https://www.amnesty.org/en/location/europe-and-central-asia/eastern-europe-and-central-asia/azerbaijan/report-azerbaijan/>

Cases of Political Imprisonment During the Past Year

I want to focus my remarks today on a number of cases of arbitrary detention and mistreatment. I do not mean to single out any one case as more important than another, but rather to provide insights into the scale of the human rights abuses taking place in Azerbaijan, and the scope of inhumane, illegal, and violent treatment of civil society and independent journalists that is occurring. Among those arbitrarily detained and imprisoned are civil society activists, academics, scholars, independent journalists, opposition leaders, and others who are inconvenient to the Azerbaijani regime.

The case of our close friend and colleague, Dr. Gubad Ibadoghlu, has come to the attention of many members of the US Congress, and I want to thank you for the actions you have taken on his behalf.

Dr. Ibadoghlu is an economist, civil society activist, professor, and scholar, who was brutally arrested on July 23, 2023 by the Azerbaijani regime. He was accused of counterfeiting money for an organization, and then later charged with having religious extremist literature in his office. Both charges are absurd, but they carry a maximum sentence of 17 years imprisonment should he be convicted. After spending nine months in pre-trial detention, suffering in unsanitary and inhumane conditions in which he was denied access to medication needed to manage severe medical conditions, as well as only limited access to his lawyers, Ibadoghlu was released to house arrest. He currently must check in with the authorities twice a week, is not allowed to work or travel, and is still

separated from his family. Additionally, he is still denied medical treatment to control his diabetes and hypertension. This denial of medical treatment is severely threatening his health, causing great concern to his family and friends.

Ibadoghlu's trial has been indefinitely postponed, meaning that he is in limbo. This is reminiscent of the indefinite postponement of another political prisoner's trial—that of Khadija Ismayilova—in 2015.

In another case, Anar Mammadli, a civil society activist and human rights defender, was arrested on April 29, 2024. He was also accused of conspiracy to unlawfully bring money into the country, a charge that carries up to 8 years in prison.¹⁶ Mammadli was also arrested during the 2014 crackdown.

Journalists with Abzas Media and Toplum TV have also been swept up in the crackdown. Approximately one year ago, in Warsaw, Poland, at the Human Dimension Conference of the Organization for Security and Cooperation in Europe, Abzas Media journalists were reporting on the human rights concerns being raised at that meeting—including the case of Gubad Ibadoghlu, who had been arbitrarily detained for just over 2 months at that time. They are now behind bars, as are many of their journalist colleagues. Abzas had also done important investigative reporting in July 2023 about environmental concerns in the village of Soyodlu near a gold mine.¹⁷

¹⁶ <https://www.amnesty.org/en/documents/eur55/8053/2024/en/>.

¹⁷ <https://observers.france24.com/en/europe/20240203-in-azerbaijan-uk-based-gold-mine-accused-of-pollution>

Particularly in the lead-up to COP29, this is an extremely disturbing trend.

At a time when the world's eyes are on Azerbaijan, and one might imagine the regime has every incentive to present itself as a government that respects the rule of law, democracy, and environmental protection, the Aliyev regime has doubled down on repression. Its absolute lack of respect for civil society, for independent media, for the rule of law is stunning. Yet, the Azerbaijani government continues to enjoy a place in the international community, hosting COP 29, engaging in trade with Europe, including in natural gas, and participating in international events and meetings.

Azerbaijan, Environment, and Climate

Azerbaijan's environmental record and its work to meet its climate goals, are also lacking. According to the World Bank, Azerbaijan is not on track to meet its climate targets,¹⁸ and even as host of COP29, the country has pledged to continue its fossil fuel dependence. Azerbaijan's economy is largely dependent on fossil fuels, with fossil fuels making up 90% of the country's exports. The largest foreign investor in Azerbaijan is bp, and Azerbaijan's investments in both oil and natural gas continue to expand, including at the massive offshore fields of Azeri Chirag Guneshli and Shah Deniz in the Caspian Sea. Crude Accountability's research has shown that there are significant environmental health impacts on the local population from fossil fuel development in the country.¹⁹ In

¹⁸ <https://www.worldbank.org/en/news/press-release/2023/11/24/investments-and-policy-reforms-towards-low-carbon-transition-and-resilience-are-in-azerbaijan-s-economic-interest-says-w>

¹⁹ https://crudeaccountability.org/wp-content/uploads/Compressed_Flames-of-Toxicity-report.pdf

May, President Ilham Aliyev stated publicly the country would continue to increase its natural gas production and that “oil is a gift from God.”²⁰ His intransigence on human rights and climate commitments should give the west pause as we close in on the COP 29 meetings.

Recommendations

As the US State Department Country Reports demonstrate, the US government is fully aware of Azerbaijan’s gross human rights record. Our engagement with the country should reflect that knowledge and include human rights front and center in our dialogue with the Aliyev regime.

We ask that the US Congress hold Azerbaijan accountable for its human rights violations. We ask that in the leadup to COP 29, the US Congress demand that Azerbaijan immediately and unconditionally release the political prisoners who are arbitrarily and unjustly detained in Azerbaijan, including Dr. Gubad Ibadoghlu who is in desperate need of medical treatment.

We ask that the US Congress call for full participation by civil society in COP 29, including those journalists and activists who are currently detained and imprisoned. A climate meeting without the presence and full participation of the regime’s critical voices, including on corruption, climate, and fossil fuels, is not a legitimate meeting.

²⁰ <https://www.bloomberg.com/news/articles/2024-04-26/cop29-host-azerbaijan-says-its-fossil-fuel-is-gift-of-the-gods?embedded-checkout=true>

We ask for sanctions against Azerbaijani officials who have committed human rights violations, including those included in a recent Global Magnitsky Sanctions designation application submitted by Crude Accountability against those responsible for the violent mistreatment and torture of Gubad Ibadoghlu.

We ask that the US Congress raise these issues publicly as well as in private diplomatic discussions, calling for justice and respect for democracy, human rights, and the rule of law.

Thank you for this opportunity, and I will be happy to answer your questions.