



**Coalition submission to the UN Universal Periodic Review of Azerbaijan  
by the International Partnership Group for Azerbaijan**

*For consideration at the 16<sup>th</sup> session of the UN working group in 2013*

9 October 2012

### ***Executive Summary***

1. This submission has been prepared by a coalition of international and national NGOs, led by ARTICLE 19, working together to promote and protect freedom of expression in Azerbaijan as part of the International Partnership Group for Azerbaijan (IPGA). This submission seeks to make a constructive contribution to the process of preparation of the second Universal Periodic Review (UPR) of Azerbaijan. ARTICLE 19 coordinated the drafting of this submission, with input from the Association for Progressive Communications and Freedom Now, along with the Baku-based Institute for Reporters' Freedom and Safety and the Media Rights Institute. This submission is also endorsed by the Committee to Protect Journalists, Freedom House, the Human Rights House Foundation, Index on Censorship, the Institute for War and Peace Reporting, the Media Diversity Institute, the Norwegian Helsinki Committee, PEN International, Reporters Without Borders, the World Association of Newspapers and News Publishers (WAN-IFRA), and the Baku-based Human Rights Club.

2. Given the areas of expertise of these organisations and the focus of this coalition, this submission focuses on Azerbaijan's compliance with its international human rights obligations in respect to freedom of expression.

3. The IPGA wishes to emphasise that the Azerbaijani government has failed to implement a number of the recommendations it accepted in the first cycle of the UPR. Rather than improving, the human rights situation in Azerbaijan has continued to deteriorate significantly since 2009, and the current state of freedom of expression in the country is alarming. In particular, this submission examines the following key freedom of expression issues:

- Failure to protect the right to life of journalists
- Impunity for violence against journalists
- Violations of the right to private life
- Politically motivated arrests and imprisonment
- Cruel, inhuman or degrading treatment
- Legislative restrictions on freedom of expression
- Restrictions on freedom of expression online
- State control of the media

### ***Implementation of accepted UPR recommendations***

4. The Azerbaijani government has failed to implement a number of recommendations it accepted from the first UPR cycle. None of the points in accepted recommendation 15 have been heeded. Instead of taking "effective measures to ensure the full realisation of the right to freedom of expression", or "fully uphold[ing] media freedom in accordance with international obligations", the Azerbaijani government has exercised tight control over all forms of media, and particularly the broadcast media, severely restricting the growth of the independent media as a critical source of information. Instead of putting in place "further measures to ensure respect for freedom of expression and of the media", the government has taken steps to stifle all forms of dissent, whether expressed through traditional or online media, or in taking to the streets in protest.

5. With regards to accepted recommendation 16, instead of "effectively investigat[ing] and prosecut[ing] crimes and violations against journalists and human rights defenders" and punishing those responsible, the Azerbaijani government has instead fostered the development of a climate of fear for journalists and impunity for those who wish to silence critical voices. Harassment, threats, blackmail, intimidation, physical attack and imprisonment of journalists, bloggers, human rights defenders and activists have become commonplace. There has been no justice in any of the 87 cases of violent attacks against

journalists since 2009, including a murder.

6. Instead of changing "the criminal legislation provisions on defamation to eliminate unnecessary pressure on journalists fulfilling their professional duties" per accepted recommendation 14, defamation remains criminalised in Azerbaijan. The continued presence of defamation provisions in criminal law has a chilling effect on freedom of expression and has contributed to the widespread self-censorship in the country.

7. The Azerbaijani government has also failed to "expand media freedoms, particularly access to broadcast media", per accepted recommendation 17. The overall environment in which the Azerbaijani media currently operates prevents it from holding those in power to account, or providing citizens with quality independent news reporting. When the media is unable to fulfil such intrinsic functions, society cannot properly voice its concerns through peaceful, institutionalised means. Until this fundamental right is guaranteed, a more democratic Azerbaijan remains a distant prospect.

### ***Failure to protect the right to life of journalists***

8. Since the first cycle of the UPR, Azerbaijan has failed to protect the right to life of journalists and react adequately to threats. Well-known writer and journalist Rafiq Tagi was murdered in November 2011. He was attacked on his way home by assailants who stabbed him several times, and then died four days later in hospital. In an interview given after the attack, Tagi suggested the attack could have been linked to his publication of an article the previous month which was critical of the Iranian authorities' theologically based policies and suppression of human rights. A leading Iranian cleric had previously placed a fatwa on Tagi in 2007 following his publication of an article which alleged Islam had hindered Azerbaijan's democratic development, for which Tagi served more than a year in prison in Azerbaijan on charges of inciting religious hatred.

9. In addition, the Azerbaijani government has continued to fail to adequately investigate the March 2005 murder of *Monitor* magazine editor-in-chief Elmar Huseynov. More than seven years have passed since Huseynov was shot and killed in an attack that appears to be linked to organised crime, yet no one has been brought to justice. Prior to his murder, Huseynov had received a number of death threats, and the government failed to provide him with adequate protection. As Huseynov's murder remains unsolved, it continues to have a chilling effect in the media community.

### **10. Recommendations to the Azerbaijani government:**

- Redouble efforts to investigate the murders of Rafiq Tagi and Elmar Huseynov in line with international standards and bring the perpetrators and organisers of the attacks to justice.
- Make public all information related to the investigations of the murders of Rafiq Tagi and Elmar Huseynov.

### ***Impunity for violence against journalists***

11. In virtually no case of violence against a journalist since Elmar Huseynov's murder in March 2005 have the authorities seriously investigated an attack or prosecuted those responsible. This has created a climate of complete impunity for those who wish to use violence to silence critical voices. As a result, few journalists in the country remain willing to undertake the significant risks associated with pursuing investigative journalism, and self-censorship has become widespread.

12. The Baku-based Institute for Reporters' Freedom and Safety (IRFS) reports that since 2009, there have been 87 cases of violence against journalists. It is not possible to elaborate upon each of these cases within this submission; however, several examples are provided below. No one has been brought to justice for these attacks.

13. In April 2012, Journalist Idrak Abbasov, who is affiliated with IRFS and the Institute for War and Peace Reporting, was attacked by a group of employees of the State Oil Company of Azerbaijan (SOCAR) whilst filming the demolition of houses in his village. Abbasov was beaten to the point of hospitalisation, sustaining serious injuries including concussion, broken ribs, and trauma to his right eye. Rather than seriously investigating the incident, SOCAR later blamed Abbasov for instigating the attack.

14. In July 2011, in the Azerbaijani exclave of Nakhchivan, Turan news agency journalists Ilgar Nasibov and Malahat Nasibova were attacked by local officials outside a police station. In August 2011, Nasibova, who is also a prominent human rights defender, was subjected to further harassment, including death threats and summonses for questioning by the Ministry of National Security, following her investigation into the death of a local man in custody.

15. In separate but similar attacks in March and April 2011, opposition *Azadliq* newspaper correspondents Seymur Khaziyev and Ramin Deko were attacked by groups of assailants and abducted. Khaziyev was tortured for two hours and told to be as "intelligent and quiet as the others". Deko was subjected to intense psychological pressure for eight hours and asked repeatedly why he was so active on online social networks and why he wrote articles criticising the Azerbaijani president. The next evening, two of Deko's assailants were waiting for him as he left his office and beat him severely.

#### **16. Recommendations for the Azerbaijani government:**

- Seriously investigate and prosecute all cases of violence against journalists, bringing the perpetrators and organisers of the attacks to justice.
- Take seriously all reports of threats against journalists and provide them with adequate protection to ensure their safety.

#### ***Violations of the right to private life***

17. In addition to violence, journalists who were critical of the authorities faced serious violations of their right to private life as a means to undermine their free expression rights. The Baku-based Media Rights Institute reported that there have been at least four cases of such violations since 2009. In the run-up to the November 2010 parliamentary elections, opposition *Azadliq* newspaper editor Azer Ahmadov was secretly filmed engaging in sexual activity with a woman who was not his wife. In 2011, two *Azadliq* newspaper reporters, Natiq Adilov and Tural Jafarov, were secretly filmed naked in hotel rooms. The videos of Ahmadov, Adilov and Jafarov were broadcast nationwide on the pro-governmental Lider TV station. In March 2012, outspoken critical journalist Khadija Ismayilova, who works for the Azerbaijani service of Radio Free Europe/Radio Liberty, was similarly targeted when a sex video of her filmed by hidden camera was posted to the Internet after she refused to be silenced following a blackmail attempt against her. No one has been brought to justice for the violations in these cases.

#### **18. Recommendations for the Azerbaijani government:**

- Investigate seriously all violations of journalists' right to privacy and prosecute those responsible, bringing the perpetrators and organisers to justice.

- Make public all information related to the investigations of the violations of the right to privacy of Azer Ahmadov, Natiq Adilov, Tural Jafarov, and Khadija Ismayilova.

***Politically motivated arrests and imprisonment***

19. The Azerbaijani government uses arbitrary detention as a tactic to punish and silence journalists, bloggers, political activists and human rights defenders. Individuals who were critical of both local and national authorities often found themselves imprisoned and charged with fabricated crimes, such as hooliganism, evading military service, and drug possession. As reported by the Parliamentary Assembly of the Council of Europe's Special Rapporteur on the follow-up to the issue of political prisoners, there are currently more than 80 cases of alleged political prisoners in Azerbaijan.

20. During the first UPR cycle, the government largely rejected recommendations related to its practice of arbitrarily detaining dissident voices in Azerbaijan. In rejecting recommendations that, among other things, called for the release of wrongfully imprisoned individuals detained because of their expression or activism, the Azerbaijani government merely responded that imprisoned journalists "bear responsibility for commitment of certain crimes ... in accordance with court decision[s]".

21. Harsh prison conditions in Azerbaijan can lead to quite serious consequences for political prisoners. In August 2009, editor-in-chief of the minority Talysh language newspaper *Tolishi Sedo* and Talysh cultural activist Novruzali Mammadov died in custody while serving a 10-year prison sentence on politically motivated charges of high treason. Prior to his death, Mammadov had reported a number of serious health issues which resulted in widespread international appeals for his release on humanitarian grounds. The government failed to provide Mammadov with adequate medical attention and likely exacerbated his illnesses by placing him in solitary confinement for 15 days, where he was deprived of bedding and warm clothes.

22. According to the Media Rights Institute, from 2010 to 2012, nine journalists, all of whom were known to be critical of the authorities, were imprisoned on politically motivated charges. Three journalists are currently imprisoned or detained on politically motivated charges in connection with their professional activities: Anar Bayramli; Aydin Janiyev; and Faramaz Novruzoglu. Another six journalists are currently in detention awaiting trial on charges connected with their professional activities: Nijat Aliyev; Vugar Gonagov; Araz Guliyev; Zaur Guliyev; Hilal Mammadov; and Avaz Zeynalli.

23. Two of the currently detained journalists face particularly harsh punishment if convicted. Hilal Mammadov is the editor-in-chief of *Tolishi Sedo* newspaper and a human rights advocate for the Talysh-speaking minority group. He is under investigation on charges of drug possession, high treason, and inciting ethnic hatred and could face 12 years in prison. Avaz Zeynalli, the editor-in-chief of *Khural* newspaper, is standing trial on charges of failing to implement a court decision and extortion, on the basis of a complaint filed by a then-Member of Parliament who has since been discredited due to her role in an apparent bribery scandal. Zeynalli faces up to 12 years in prison if convicted.

24. Multimedia journalist and activist Mehman Huseynov has also been charged in connection with his work, facing up to five years' imprisonment on politically motivated charges of hooliganism following a scuffle with a police officer during a May 2012 demonstration he was attempting to photograph. Blogger and activist Zaur Gurbanli is currently serving a 15-day administrative sentence for refusing to cooperate with a police investigation into drug trafficking. From 29 September to 1 October 2012, Gurbanli was held

for more than 48 hours incommunicado with no access to a lawyer or his family and with no official explanation for his arrest or confirmation of his whereabouts.

25. In September 2012, a court sentenced human rights defender Ilham Amiraslanov, a well-known activist with Kur Civil Society, which campaigns on behalf of victims of the 2010 Kura river floods, to two years in prison on weapons possession charges after the group criticized local officials over the slow pace of reconstruction in the region and accused them of misappropriating funding intended to compensate the flood victims. Another human rights defender affiliated with the group, Ogtay Gulaliyev, also faces up to three years in prison on hooliganism charges based on a complaint filed by a local official.

26. Human rights defender Vidadi Iskenderov remains in prison, along with political activist Shahin Hasanli, following their arrests in connection with a series of pro-democracy protests in Baku in March and April 2011, inspired by uprisings in the Middle East and North Africa. Iskenderov and Hasanli were arrested with a group of 15 others in connection with the protests, all of whom have since been released.

27. Authorities have also undermined fair trial rights. They have targeted lawyers who provide legal counsel to those subjected to politically motivated prosecutions, and a number of them have been disbarred without justification. The trials of those accused for politically motivated reasons often fail to meet international fairness standards, such as in the case of blogger and former independent parliamentary candidate Bakhtiyar Hajiyev. The biased proceedings reflected the predetermined nature of the trial; for example, the defence did not have access to essential documents and the court dismissed or ignored defence motions while accepting those from the prosecution.

## **28. Recommendations for the Azerbaijani government:**

- Immediately and unconditionally release all persons in detention or imprisoned in connection with exercising their right to freedom of expression, including Nijat Aliyev; Ilham Amiraslanov; Anar Bayramli; Vugar Gonagov; Araz Guliyev; Zaur Guliyev; Zaur Gurbanli; Shahin Hasanli; Aydin Janiyev; Vidadi Iskenderov; Hilal Mammadov; Faramaz Novruzoglu; and Avaz Zeynalli.
- Unconditionally drop the charges against all persons criminally charged in connection with exercising their right to freedom of expression, including Ogtay Gulaliyev and Mehman Huseynov.
- Cease the arrest and imprisonment of persons for politically motivated reasons.
- Cease the targeting of lawyers for politically motivated reasons.

## ***Cruel, inhuman or degrading treatment***

29. After human rights defender Ilham Amiraslanov was arrested in June 2012, he reported that police extracted a confession to the weapons charges by beating and threatening him with rape; a tactic reported in many cases. Amiraslanov suffered a perforated eardrum as a result of the beatings. *Tolishi Sedo* editor-in-chief Hilal Mammadov reported being subjected to torture following his arrest in June 2012. The Nasimi District Court rejected his complaint of mistreatment in August 2012. Khayal TV journalists Vugar Gonagov and Zaur Guliyev reported that they were mistreated and threatened with rape while in the custody of the Police Unit Combating Organised Crime following their arrest in Guba in March 2012. After blogger Bakhtiyar Hajiyev was arrested in March 2012, he also reported being beaten and threatened with rape while in pre-trial detention in the city of Ganja. In May 2010, *Azadliq* newspaper reporter Seymur Khaziyev reported being beaten and kicked by plain-clothed officials who were interrogating him about his critical writings against the Azerbaijani president while he was serving a seven-day period of administrative detention following his

participation in an unsanctioned demonstration. In none of these cases did the authorities provide the detainees with adequate medical attention or investigate the allegations of ill-treatment and/or torture.

### **30. Recommendations for the Azerbaijani government:**

- Seriously investigate all reports of ill-treatment and/or torture of persons in custody, and bring those responsible to justice.

#### ***Legislative restrictions on freedom of expression***

31. Although the Azerbaijani government's "National Action Programme for increasing the efficiency of human rights and freedoms in the Republic of Azerbaijan" included plans for the adoption of a new defamation law which would decriminalise defamation in 2012, at present defamation remains a criminal offence. Criminal defamation provisions no longer lead to prison sentences as frequently as in previous years, but they are still in use. According to the Media Rights Institute, since 2009 there have been more than 20 criminal convictions of journalists on defamation charges. The existence of these provisions continues to have a serious chilling effect on freedom of expression, particularly in contributing to the widespread self-censorship in the country.

32. Civil defamation provisions are more frequently used, and are often misused to hamstring the ability of independent and opposition media outlets to operate. According to the Media Rights Institute, since 2009 there have been more than 150 defamation lawsuits filed against journalists. Newspapers critical of the government, such as *Azadliq*, *Yeni Musavat* and *Khural*, were the most frequent targets of these lawsuits, many of which were lodged by public officials. The heavy damages awarded in these lawsuits present serious problems for many newspapers, which already face difficult financial situations due to a number of economic constraints on the print media stemming from state domination of the media.

33. Despite the initially high hopes for the Law on the Right to Obtain Information, which was passed in 2005 and was considered to be a robust law largely in accordance with international freedom of information standards, implementation of the law remains problematic. For more than five years, the Azerbaijani government failed to appoint an Information Ombudsman as provided for by the law. Then, in February 2011, parliament amended the law, combining the position of Information Ombudsman with the existing position of Human Rights Ombudsman, which was viewed as a negative step. A number of further worrisome amendments to the law were passed in May 2012, making it possible for companies to keep secret important information about their structure and ownership.

34. A number of other laws contain provisions which hinder the ability of journalists and human rights defenders to carry out their professional duties. These include: the Media Law; the Television and Radio Broadcasting Law; the Law on Commercial Secrets; the Law on the Registration of State Entities; the NGO law; and the Grants Law.

35. Although the Constitution and corresponding domestic laws provide for the right to freedom of expression and other fundamental freedoms in accordance with Azerbaijan's international legal obligations, these rights are not upheld in practice. Politically motivated charges are upheld due to the lack of independence of the judiciary.

### **36. Recommendations for the Azerbaijani government:**

- Decriminalise defamation and ensure that the use of civil defamation provisions is in line with international standards.
- Ensure that the Law on the Right to Obtain Information is fully implemented in

accordance with international standards.

- Initiate broad consultations with civil society representatives, seeking to revise laws which are problematic for freedom of expression, in line with international standards.
- Take steps to ensure the independency of the judiciary.

### ***Restrictions on freedom of expression online***

37. In July 2012, Azerbaijan, along with 84 co-sponsors at the UN Human Rights Council, confirmed the importance of the promotion, protection and enjoyment of human rights on the Internet, and in particular, freedom of expression online. However, during the first UPR cycle, Azerbaijan rejected recommendation 15 that it "ensure the full exercise of freedom of expression and of the freedom of all independent media, both national and foreign ones, regardless to their nature: press, Internet, radio or television" (France).

38. Human rights and the Internet are referred to in the founding documents on the United Nations World Summit of the Information Society, the Geneva Declaration of Principles and the Internet Governance Forum (IGF). Further, in 2011 the UN Human Rights Committee noted that freedom of expression (including the right to information and access to information) includes Internet-based expression in Article 19 of the ICCPR. The Azerbaijani government will host the IGF in November 2012 where issues of the Internet and human rights will be under discussion.

39. The second UPR must therefore include consideration of the promotion and protection of human rights and fundamental freedoms on the Internet, particularly freedom of expression and freedom of association in Azerbaijan. Azerbaijan's existing human rights obligations therefore extend to taking steps to ensure access to the Internet and that limitations or restrictions on freedom of expression comply with agreed international standards, including women's human rights.

40. As Freedom House found in its *Freedom on the Net 2012* report, the Internet is partly free in Azerbaijan. The government does not typically restrict Internet access, but it has repeatedly blocked some websites featuring opposition views and intimidated the online community through its harsh treatment of so-called "cyber dissidents". Those using the Internet to disseminate pro-democracy views that do not coalesce with the official government line have been punished, receiving jail sentences and heavy fines. Recent research shows that Azerbaijan's Internet usage has increased rapidly since the first UPR cycle, and this has coincided with a government crackdown on more traditional broadcast and print media outlets.

41. Those who take to the Internet to express critical opinions or call for protest become particular targets of repressive actions by the Azerbaijan government. In 2009, the conviction of bloggers Emin Milli and Adnan Hajizade was viewed as "a warning signal to the online media community about the consequences they might face for critical reporting via Internet". Independent research shows that following these arrests, social media networks were placed under strict government scrutiny, and some websites were hacked and blocked from time to time. In 2011, Jabbar Savalan and several other online activists were punished and given harsh prison sentences for using the Internet to call for and organise protests against the government, in the wake of the uprisings in the Middle East and North Africa.

42. A number of current cases of politically motivated detention and imprisonment are connected with exercise of the right to free expression online. In August 2012, journalist Faramaz Novruzoglu was sentenced to four and a half years' imprisonment on charges of appealing for mass disorder and violence, and illegal border crossing, following his posting



of critical views and calls for protest on social networks. In April 2012, blogger and human rights defender Taleh Khasmammadov was sentenced to four years' imprisonment on charges of hooliganism, disorderly conduct and resisting authorities after he released information online pertaining to the illegal activities of local authorities. Two workers of the Guba regional TV station, Vugar Gonagov and Zaur Guliyev, were arrested in March 2012 on charges of organising mass disorder and abuse of office, after they were accused of posting a video to YouTube showing the regional governor making derogatory comments, which sparked mass protests in the region and led to the governor being dismissed from his appointed position. Gonagov and Guliyev have denied their involvement in posting the video to YouTube. If convicted, the men face up to 10 years' imprisonment. Criminal charges of calling for the violent overthrow of power still stand against blogger Elnur Majidli, who used Facebook to call for anti-government protests in March and April 2011, have been suspended, but the criminal case is still open. Majidli lives abroad but faces imprisonment if he returns to Azerbaijan.

43. Website blocking and cyber-attacks (initiated from within the country) have also occurred and there are no clear processes for appeal or legal action. For example, Internet users in Azerbaijan can still not use the popular site [www.tinsohbeti.com](http://www.tinsohbeti.com), which contains satirical articles, photographs and videos. The web pages of critical newspapers and news agencies are under pressure and are blocked. During last three years, the websites of critical media institutions such as *Azadliq* and *Yeni Musavat* newspapers and the Azerbaijani service of Radio Free Europe/Radio Liberty, were blocked and faced with cyber-attacks. The claims raised by media institutions which are addressed to the relevant authorities for investigation of such threats remain ignored.

44. Government attempts to exercise greater control over online content included the application of the Law on Mass Media of 1999 to the Internet. The Ministry of Communication and Information Technologies is responsible for regulating the Internet. In May 2011, officials made the act of spreading "misinformation" a "cyber-crime" and targeted Skype and Wikipedia as potential threats to national security.

45. Although in 2005, Azerbaijan proclaimed an ambitious program to bring all its state institutions online, seven years on, the authorities are still woefully inadequate at responding to enquiries. Internet traffic is controlled by two companies: Delta Telecom, 51 per cent of whose shares belong to Ministry of Communication and Information Technologies; and AzerTelecom. Both companies have close relations with the ruling regime. Such a monopolistic policy is preventing larger capacity and faster speed while maintaining high subscription rates. Internet prices are much higher than in the regions and quality has dropped.

#### **46. Recommendations to the Azerbaijani government:**

- Immediately and unconditionally release all persons in detention or imprisoned in connection with exercising their right to freedom of expression online.
- Cease practices of targeting social media users who express opinions critical of the authorities or use the Internet to call for or organise protests.
- Refrain from using blocking as a permanent solution or as a means of punishment.
- Invest in Internet infrastructure and work towards universal, affordable, high-speed Internet access.

#### ***State control of the media***

47. The state dominates broadcasting in Azerbaijan through regulations, direct ownership, or indirect economic control. Azerbaijan's regulatory authority, the National Television and

Radio Council (NTRC), lacks independence. It is fully funded from the state budget and all of its nine members are directly appointed by the president. The NTRC has demonstrated a clear bias in favour of the state in the allocation of broadcast licenses. A ban imposed by the NTRC in 2009 preventing foreign entities from accessing national frequencies effectively took the BBC, Radio Free Europe/Radio Liberty and Voice of America off the air. The Azerbaijani public service broadcaster, *Ictimai*, is failing to provide "varied and balanced programming for all sections of the population" as required by the European Broadcasting Union. Rather, *Ictimai* has demonstrated a clear bias in selecting its programming, failing to cover significant newsworthy events that reflect negatively on the authorities, and instead providing coverage that is disproportionately favourable to the government and ruling party.

48. Critical newspapers are in a particular dire situation in Azerbaijan due to financial hardship stemming from the state's domination of advertising, printing and distribution facilities. State advertising is not allocated to critical publications, and many private advertisers are afraid to purchase space in critical publications. Many critical newspapers are also saddled with heavy fines from excessive defamation lawsuits, many filed by public officials.

#### **49. Recommendations for the Azerbaijani government:**

- Reverse the ban prohibiting foreign entities from broadcasting on national frequencies, including the BBC, Radio Free Europe/Radio Liberty and Voice of America.
- Establish an independent broadcasting regulatory body in line with international standards and with transparent procedures for the allocation of licenses.
- Promote the development of public service broadcasting that is in the interest of the public and is independent of government interests.
- Establish fair, equitable and transparent conditions for the allocation of advertising.

#### ***Implementation of recommendations from other human rights bodies***

50. In addition to failing to implement the recommendations from the first UPR cycle, the Azerbaijani government has demonstrated a general unwillingness to implement recommendations from other human rights bodies. For example, many of the recommendations related to freedom of expression by the UN Human Rights Committee during its review of Azerbaijan in July 2009 have gone unheeded.

51. The Azerbaijani government has also consistently failed to implement human rights recommendations from various entities of the Council of Europe. The government demonstrated no political will to engage with a Special Rapporteur appointed by the Parliamentary Assembly of the Council of Europe (PACE) to look into the situation of political prisoners in Azerbaijan. The Rapporteur was eventually obliged to draft a report on the topic without having undertaken a fact-finding mission to the country, due to the government's refusal to issue him a visa for travel under his mandate. The government has also failed to implement human rights recommendations made by PACE in a June 2010 resolution on 'The functioning of democratic institutions in Azerbaijan'. Finally, the government often does not fully execute judgments of the European Court of Human Rights, paying the imposed damages but failing to implement the Court's broader recommendations.