

To:
Štefan Füle
European Commissioner for Enlargement and European Neighbourhood
Policy

July 18, 2014

Subject: Human rights defenders clampdown in Azerbaijan

Dear Commissioner,

We would like to draw your attention to recent developments in Azerbaijan and the escalated stifling of Azeri civil society. Last week more than 20 NGOs were confronted with sanctions that included freezing bank accounts and seizing personal accounts of NGO executives and others. This is a continuation of the government's on-going harassment campaign against human rights defenders that uses tactics like police summons, arrests, propaganda, and slandering and threatening organisations with closure.

The worsening human rights record in Azerbaijan and clampdown on human rights and CSO activists continues against the background of expanding cooperation with the EU, including the signing in June of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and as well the Framework Agreement between the European Union and the Republic of Azerbaijan on the general principles for the participation of the Republic of Azerbaijan in the Union's programmes. A visa facilitation agreement with Azerbaijan will also enter into force by the end of summer.

The EU's cooperation with Azerbaijan has also intensified in the energy sector, with the signing of the Energy memorandum and the subsequent participation of the Azeri state company SOCAR in the Trans-Adriatic pipeline, one of the EU's Projects of Common Interest

While we cannot believe that the EU's energy agenda trumps its principles of democracy and the protection of human rights, how is it that a drastic campaign against civil society through false allegations, criminal charges and espionage can occur while the EU continues its political and financial engagement with the Azeri government?

The signature of the Protocol followed a statement in May 2014 from the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the Commission, and Stefan Füle, European Commissioner for Enlargement and Neighbourhood Policy on the intensifying clampdown on human rights defenders in Azerbaijan.

Bulgaria:

Centre for Environmental
Information and Education
(CEIE)

Za Zemiata, For the Earth

Croatia:

Green Action

Czech Republic:

Centrum pro dopravu a
energetiku (CDE)

Hnutí DUHA

Estonia:

Estonian Green Movement-FoE

Georgia:

Green Alternative

Hungary:

National Society of
Conservationists – Friends of
the Earth Hungary (MTVSZ)

Latvia:

Latvian Green Movement

Lithuania:

Atgaja

Macedonia:

Eko-vest

Poland:

Polish Green Network (PGN)

Russia:

Sakhalin Environmental Watch

Serbia:

Center for Ecology and
Sustainable Development
(CEKOR)

Slovakia:

Friends of the Earth – Center
for Environmental Public
Advocacy (FoE-CEPA)

Ukraine:

National Ecological Centre of
Ukraine (NECU)

The European Neighbourhood Policy and the Eastern Partnership Initiative in particular underline the importance of civil society in genuine democracy. The Commission has even established the European Endowment for Democracy (EED) with a mandate to support CSOs in the ENPI region. Despite its short history, the fund and its mission is increasingly a target of hostility by Azeri authorities, and grant recipients in Azerbaijan are already under government scrutiny for their association with the Foundation.

In the case of the Oil Workers Protection Organisation, the Azeri prosecutor's office asked a court to seize the accounts of the organisation and its head Mirvari Gahramanli after it received money from EED in order for the prosecutor to "ensure complete, comprehensive and objective investigation, to ensure special confiscation of criminally obtained funds in the future, as well as to prevent expropriation."

In April, the leader of the Gandja-based organisation 'Intelligent Citizen Center' Hasan Huseynli was arrested and sentenced in July to six years in prison on trumped up charges of hooliganism. As a statement by the US embassy in Baku put it, "Given his [Huseynli] mild manner and history of promoting civic engagement and education, it is virtually impossible to believe Huseynli used a knife against a local resident, as the prosecution claimed". The Intelligent Citizen Center is also an EED grant recipient.

These cases are just two instances in a continuous stream of harassment against human rights and CSO activists in the last two years, which intensified in recent months. An appeal from CSOs to the Council of Europe from June 24th stressed that there are more than 81 political prisoners in Azerbaijan and at least 19 prisoners of conscience, imprisoned solely for their connection to attempts to peacefully exercise their rights to freedom of expression. So while the EU passively calls on the Azeri government to dialogue in order to stop the harassment of CSOs, the situation worsens on a daily basis.

Therefore, we believe that urgent action from the EU is necessary in order to demonstrate that the behaviour of the Azeri government contravenes the values of the European Neighbourhood Policy and the Eastern Partnership Initiative and to avoid giving the impression that the EU values energy security more than human lives.

We reiterate your words: "Europe should have backed democrats, not dictators." EU representatives are well aware of the blackmail, harassment, show trials and routine crackdowns, but decisive action is lacking, if not completely absent. Your statements and those of Baroness Ashton are increasingly hollow, as engagement with the Azeri government over energy projects continues.

The EU, as the Azerbaijan's top trading partner, is the most powerful external actor in the country and should therefore exercise its political leverage.

We ask you to:

- follow up on the instances harassment by Azeri authorities of human rights and CSO activists in order to ensure their legal protection;

- suspend any type of funding to the Azeri government, whether via the European Neighbourhood Instrument, European Investment Bank or the European Bank for Reconstruction and Development, until the situation with respect to human rights has improved and those arrested due to political motivations are released;
- ensure that any visa facilitation agreement includes measures to ban from entering the EU those directly involved in the harassment of CSOs; and
- introduce trade and economic conditionalities in dealings with the Azeri government to ensure the fundamental rights of Azeris are protected.

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CEE Bankwatch Network