

## Does Advocacy Matter in Dealing with Authoritarian Regimes?

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### Abstract

Azerbaijan's leadership is growing in power and influence. So far it has managed to attract support from many European and American politicians through its skilled "caviar diplomacy." At the same time, advocates for more transparency, democracy and freedom in Azerbaijan face harsh crackdowns. Many of the country's well-known activists, rights defenders and journalists are currently in jail. In fact, foreign analysts described the repressions of 2014 as "unprecedented." International rights advocates played a tremendous role in telling the stories of those who have been unlawfully silenced in Azerbaijan. However, these criticisms are not enough to hold the political leadership accountable for its actions. A consolidated effort by governments, rights institutions, media and international organizations is needed to trigger change.

### Introduction

There are two parallel Azerbaijanians that exist today. The one on the surface, the most visible one, claims to be many things: democratic, egalitarian and liberal, to name a few. It presents itself as a modern nation-state, with a booming economy benefiting all. It promotes an attractive image through high-quality commercial ads featured on international television channels, international newspapers and even billboards. To the broad foreign public, unaware even of where the country is located, Azerbaijan is a pearl to be discovered—a "charm of the orient" as the country is described in many of its ad campaigns. Within this ostensibly appealing Azerbaijan hides an ugly reality. Here, democracy, equality and liberty are long forgotten words, buried deep under the rule of one family, which controlled the country for over four decades, both during the Soviet Union and following the country's independence. Beneath the shining, crystal, "Champaign and caviar" lies a life defined by suffering, struggle, and crackdown.

Many have tasted both worlds in Azerbaijan. Some chose caviar over freedoms; others continue the fight. But, as the recent years have shown, there seems to be more of the caviar type and a shrinking number of the fighting type. The number of fighters is shrinking not due to their personal choice, but because many end up in jail, exile, or some other form of escape.

The Azerbaijani government invests billions in its lobbying efforts and engages in untraditional diplomacy—it buys votes, bribes sports competition judges, hosts international events all the while putting on a show of masked, pampered, retouched "democracy." And, in order to prevent any kind of disruption to its image-building plans, it is putting its prominent journalists, veteran activists and rights advocates in jail. In the meantime, the international community of rights advocates is fighting back by drawing attention to the on-going crackdown and the stories of those unjustly silenced. Whether they are succeeding at this is yet to

be seen. As attention abroad becomes stronger, so do official Baku's reactions and, by now, well-mastered line of argumentation: "there are no limits to any kind of freedoms in Azerbaijan," say government officials; in the meantime another activist, journalist or advocate ends up in jail. This situation calls for changes in advocacy measures.

### Aliyev's Wonderland

Aliyev's wonderland of opulence would lure anyone with a weakness for luxury. This is why Aliyev's influence abroad is termed "caviar diplomacy." Aliyev is surrounded by an abundance of it. And since choking on it is not option, handing it out in large sums in an exchange of favors works just as well. So far "caviar diplomacy" worked wonders in the European Parliament and the Parliamentary Assembly of the Council of Europe. Well paid lobby firms help find suitable candidates to promote Aliyev's foreign policy objectives. Events, glossy magazines, art exhibitions, generous individual donations and gala dinners all are part of these efforts—on the visible side.

The invisible side involves bribing jurors, as during the 2013 Eurovision Song Contest. Or, as in 2012, when Azerbaijan bribed a boxing official in exchange for two gold medals. There is nothing that the authorities cannot "influence" with money and the help of their lobbyists—the combination works wonders.

The Parliamentary Assembly of the Council of Europe's (PACE) rejection of the controversial political prisoners report on January 23, 2013, was just one of these wonders. Thanks to Azerbaijani apologists at PACE (and there were plenty), the resolution did not pass, leaving rights activists defeated, not to mention close to a hundred political prisoner's lives at the mercy of the Azerbaijani judicial system.

In its 2012 report, the Berlin based think-thank, European Stability Initiative, quoted one Azerbaijani source that said:

“One kilogram of caviar is worth between 1,300 and 1,400 euro. Each of our friends in PACE receives at every session, four times a year, at least 0.4 to 0.6kg. Our key friends in PACE, who get this, are around 10 to 12 people. There are another 3 to 4 people in the secretariat.”

And this is just a small part of Aliyev’s untraditional diplomatic skills:

“Caviar, at least, is given at every session. But during visits to Baku many other things are given as well. Many deputies are regularly invited to Azerbaijan and generously paid. In a normal year, at least 30 to 40 would be invited, some of them repeatedly. People are invited to conferences, events, sometimes for summer vacations. These are real vacations and there are many expensive gifts. Gifts are mostly expensive silk carpets, gold and silver items, drinks, caviar and money. In Baku, a common gift is 2kg of caviar.”

With that much caviar, any political prisoner can be forgotten.

### Campaigning for Silenced Voices

Despite the well-established and growing influence of Aliyev’s “caviar diplomacy,” efforts to keep the crackdown in Azerbaijan on the international agenda have also been successful to some degree.

In a 2010 report, the human rights organization Amnesty International stated, “Amnesty International supporters have already demonstrated they can have impact in Azerbaijan. Journalist Eynulla Fatullayev, bloggers Adnan Hajizada and Emin Milli, and youth activist Jabbar Savalan were all released early after international campaigning on their behalf.”

For the past several years, Amnesty International, Human Rights Watch, Index on Censorship, Article 19, Human Rights House Network, Pen International, Reporters Without Borders and others have engaged in advocacy campaigns condemning unfair jail terms, bogus charges, the intensified crackdown and so on. By now, there have been hundreds of calls on the government of Azerbaijan to end repression and release jailed men and women.

When the donkey bloggers story broke in 2009, many of the rights and advocacy organizations launched international campaigns calling for their immediate release, and condemning the government for jailing young activists for practicing their freedom of speech. Emin Milli and Adnan Hajizada—known as the donkey bloggers due to a viral video they created that featured a donkey—were arrested and placed in pre-trial detention in the summer of 2009. The duo was later sentenced on hooliganism charges following a sham trial.

Milli received a two-and-a-half year sentence, while Hajizada was sentenced to two years in jail.

Surely they committed no act of hooliganism. The two men used the government’s decision to import two expensive donkeys (each costing approximately \$41,000) to raise awareness about the on-going corruption in the country. And what better way to do this than to dress up in a donkey costume and give a press conference praising Azerbaijan for the opportunities it provides, especially when one is an imported donkey with talents ranging from playing the violin to speaking a number of foreign languages.

The humor was not appreciated as much inside Aliyev’s cabinet. Milli and Hajizada were arrested in a staged scuffle in a Baku restaurant just weeks after the video went viral—the two men were attacked and later convicted of hooliganism and intentional infliction of bodily harm.

The international outcry was immense. It was also the first time when the arrest of two youth activists developed into a massive anti-Aliyev campaign. The authorities were startled. The charge was strikingly similar to the charges brought against opposition journalist Ganimat Zahid, who was arrested in 2007. But even in Zahid’s case, the outcry was not this strong. Both Milli and Hajizada were Western-educated, spoke fluent English and were founders of youth networks of like-minded men and women interested in changing Azerbaijan for the better, promoting tolerance, engaging in discussions, and emphasizing the importance of education. Their networks made a difference. International campaigning efforts at home and abroad led to U.S. Secretary of State Hillary Clinton mentioning their case in a meeting with President Aliyev during her visit to Azerbaijan. President Obama urged Azerbaijani authorities to free the men.

On November 18, 2010, Hajizada was released a year into his sentence. Milli was released the next day. But their discharge meant little in terms of reforms in Azerbaijan. In fact, as one of the articles on the case of the bloggers said, this was “just the beginning”<sup>1</sup> of what was to come.

As energy revenues trickled down into the pockets of Azerbaijani state officials, the authorities became bolder. In the aftermath, a string of events at home and abroad paved the way for a more authoritarian Azerbaijan.

2009 marked a new era in the history of censorship in Azerbaijan. In March the government amended the

1 Luke Allnut, “Azerbaijan’s Donkey Bloggers Are Just The Beginning”, Radio Free Europe/Radio Liberty, July 8, 2010, <[http://www.rferl.org/content/Azerbaijans\\_Donkey\\_Bloggers\\_Are\\_Just\\_The\\_Beginning/2094553.html](http://www.rferl.org/content/Azerbaijans_Donkey_Bloggers_Are_Just_The_Beginning/2094553.html)>

constitution, scratching out presidential term limits and thereby allowing Aliyev to stay in power indefinitely. The same year three international news broadcasters—BBC, Voice of America, and the local bureau of Radio Free Europe/Radio Liberty—were banned from broadcasting on national FM frequencies. Criminal defamation charges against journalists soared to a record high.

The parliamentary elections of 2010 succeeded in excluding all of the remaining opposition representatives from the parliament. This election was described as “the most fraudulent election ever monitored in a member state of the Council of Europe”<sup>2</sup> (although the following presidential elections of 2013 raised the fraud bar to another level). By this point, “caviar diplomacy” influence in PACE was highly visible. The organization’s representatives who came to Azerbaijan to observe the elections spoke of “progress,” “transparency” and praised the voting for being “in line with international standards and procedures.”

It was clear that the authorities were honing their skills and planning to become even more punitive. The change in rhetoric and reactions became more visible with time—ignorance replacing shame and becoming a popular way to scorn the international calls and demands to reform and prevent any further silencing of voices. The authorities labeled anyone who spoke against Aliyev a traitor or an agent of the West. More arrests and intimidation followed.

In 2015, when U.S.-based Freedom House ranked Azerbaijan as “not free” the authorities were quick to dismiss the report and its conclusions, calling the assessment biased and based on untrue information.<sup>3</sup> Similarly, the Committee to Protect Journalists’ ranking of Azerbaijan in the top 10 worst jailers resulted in a similar response.

The crackdown also took on new dimensions. Arrests no longer sufficed as a crude form of censorship. As the authorities continued to throw activists in jail, legislative amendments were introduced to existing legislation on media, freedom of association, and non-governmental organizations. As a result, it became much easier to control civil society, media and activists. For instance, the most recent amendment to the law on mass media lets the Ministry of Justice shut down any foreign-funded media outlet and any outlet, which had at least two cases of defamation launched against it in a year.

## 2014: Worst Year for Rights Defenders and Activists

The rights to freedom of expression and association were repeatedly violated in Azerbaijan in 2014. Many analysts described the past year as unprecedented in the number of crackdowns (see related article in this issue). Aliyev locked up not only prominent journalists and activists, but also rights defenders and peace building advocates. Anyone who had access to the international community and was engaged in some form of advocacy was punished with a jail sentence. A series of new amendments to existing laws were also adopted.<sup>4</sup>

Aliyev is determined to silence or lock up anyone who would get in the way of the upcoming European Games and the parliamentary elections. At all costs, the authorities want to avoid the international campaigning that took place during Azerbaijan’s hosting of the Eurovision Song Contest in 2013.

Leyla Yunus documented forced evictions of Baku residents during the preparation for the Eurovision song contest. She exposed entrenched corruption and Aliyev’s authoritarian grip on power in the country by telling stories of people who lost their homes. Yunus too lost her home and office during the illegal demolitions. Today she is in jail on trumped-up charges of treason and other crimes. And, to teach a lesson, the authorities ordered the arrest of her husband, political scientist Arif Yunus.

So far, the international calls, including from the Secretary General of the Council of Europe, for her immediate release (especially due to her deteriorating health) have only resulted in more mistreatment, pressure and intimidation for Yunus. The authorities refuse to budge.

In August 2014 a group known as the Civic Solidarity Platform<sup>5</sup>—a coalition of some sixty human rights organizations within the Organization for Security and Cooperation in Europe (OSCE) region—called on the authorities of Azerbaijan to release Rasul Jafarov, a human rights activist and initiator of democracy and rights campaigns such as “Sing for Democracy” and “Art for Democracy.” Jafarov was on the front lines of advocacy campaigns in the run-up to the Eurovision song contest. He had also met with Loreen—the Swedish finalist of the Eurovision song contest who visited a number of NGOs, including the currently shuttered Institute for Reporters Freedom and Safety (IRFS). Jafarov

2 European Stability Initiative, “Caviar Diplomacy: How Azerbaijan Silenced Council of Europe”, May 24, 2012, p. 29, <[http://www.esiweb.org/pdf/esi\\_document\\_id\\_131.pdf](http://www.esiweb.org/pdf/esi_document_id_131.pdf)>

3 Freedom House Recognizes Azerbaijan “Not Free Country” Again, Contact.az, January 28, 2015, <<http://www.contact.az/docs/2015/Politics/012800104447en.htm#.VODOpMYfnLU>> last accessed on February 14, 2015

4 “2014: The Great Azerbaijani Crackdown”, Arzu Geybulayeva, February 2, 2015, Osservatorio Balcani e Caucaso, <<http://www.balcanicaucaso.org/eng/Regions-and-countries/Azerbaijan/2014-The-great-Azerbaijani-crackdown>>

5 Azerbaijan: Freedom to Rasul Jafarov, August 3, 2014, <<http://www.civicsolidarity.org/article/995/azerbaijan-freedom-rasul-jafarov>>

briefed Loreen on forced evictions and the stories of the on-going crackdown in the country.

He was arrested on August 2, 2014. He is charged with tax evasion, illegal entrepreneurship, and abuse of office.

Emin Huseynov, journalism and media freedom advocate, is facing criminal charges on accusations of tax evasion and engaging in illegal business related to allegedly unregistered grant contracts. Huseynov went into hiding in August when his organization—Institute for Reporter’s Freedom and Safety—was raided and its equipment confiscated. According to a story that broke on February 12, Huseynov has been living at the Swiss Embassy in Baku. As part of their international advocacy efforts, international rights organizations have called on the government of Azerbaijan to drop all charges against him. In the meantime, the Swiss Foreign Ministry is making efforts behind closed doors with the government of Azerbaijan to let Huseynov go.<sup>6</sup>

Not all of the imprisoned would opt for “secret diplomacy”. Among these is Khadija Ismayilova, an award winning investigative reporter and host of a daily radio show on Radio Free Europe/Radio Liberty (RFE/RL). For years she has been conducting investigations into the illegal businesses of the ruling family. Her work came at a price. She was threatened, intimidated, defamed and blackmailed. On December 5, 2014, she was arrested. The government has not relented on her case despite the on-going international campaign for her release. To the contrary, additional charges were brought against Ismayilova on February 13, when the journalist faced the usual charges of tax evasion, abuse of power and illegal entrepreneurship. Ismayilova strongly advocated against secret diplomacy. Predicting her own arrest, she wrote on her Facebook page that this is one thing she calls on the Western governments not to do.

There is a dilemma facing the Aliyev regime. On the one hand, no one on the level of the government wants to give in and appear to be changing based on the international naming and shaming. This thinking explains why the Azerbaijani government so far failed to respond to the decision of the European Court of Human Rights, which ruled that the Azerbaijani authorities violated a series of basic human rights provisions in the case of opposition leader Ilgar Mammadov. The authorities also so far failed to pay the compensation fee the court ordered.

On the other hand, however, Aliyev still cares greatly about his image. Why else would he go after other activ-

ists and journalists and increase the level of crackdowns? Or why would he waste time in responding to each internationally raised criticism and expect his foreign aides and diplomats to write letters to international media outlets like the *New York Times*, explaining and justifying his actions?

Surely Aliyev cares. Why else would his chief of staff Ramiz Mehdiyev write a 60-page diatribe accusing the West of colonialism, “interference in the country’s internal affairs” and paying for a revolution to topple the regime?

It is not a coincidence that the individuals mentioned here and many others are currently in jail. Most of them, while engaged in advocacy, also acted as bridges between international organizations and the local civil society groups. Many spoke at events in Brussels, Strasbourg and Washington, DC, exposing the on-going crackdown. Surely such exposure was getting in the way of the Azerbaijani leadership’s by now quite successful “caviar diplomacy.” By locking up many of the country’s outspoken critics, Aliyev and his close circle ensured no further interruptions in their lobbying efforts.

### Are We Failing?

It is clear that statements of “concern” and “grave concern” issued by the Western governments no longer suffice on diplomatic levels. Condemnations on behalf of the international rights groups produce few results. The authorities no longer care as they have become more powerful, with better connections and enhanced “convincing” methods.

Some governments and organizations have begun discussions about the possibility of sanctions against Azerbaijan or specific individuals. The Extractive Industry Transparency Initiative (EITI) is among these organizations. Made up of governments, companies, and civil society organizations, the initiative “promotes openness and accountable management of natural resources.”<sup>7</sup> One of the organization’s main features is that it believes the country’s natural resources belong to a country’s citizens.

Following the reports of human rights organizations, opposition politicians, and journalists on the on-going crackdown in the country, the EITI Board concluded that the situation was “unacceptable and that EITI implementation could not take place with the current circumstances”<sup>8</sup> and called on the government of Azerbaijan for an early validation. Now the eyes are on the next board meeting, which is scheduled for April.

6 “Emin Huseynov forced into hiding in Azerbaijan”, Human Rights House Network, February 11, 2015, <<http://humanrightshouse.org/Articles/20730.html>>

7 <<https://eiti.org/eiti>>

8 EITI Implementation, Azerbaijan, <<https://eiti.org/Azerbaijan>>, last accessed on February 14, 2015

Should the validation process conclude that Azerbaijan systematically dismissed EITI principles and requirements, the EITI Board will have to suspend or delist Azerbaijan.<sup>9</sup>

This would be the first time that Azerbaijan would be suspended due to the government-imposed clamp-down and as a result of international campaign efforts.

In an interview with Radio Free Europe/Radio Liberty, David Kramer, Senior Director for Human Rights and Democracy at the McCain Institute, also spoke about the possibility of some actions being taken against Azerbaijan in the U.S.

So advocacy is working, it just needs an additional push. Perhaps it is time for more consolidated efforts in case of Azerbaijan in order to be able to hold the government accountable and change its course of action. While international organizations like Amnesty International and Human Rights Watch continue increasing international attention to the plight of persecuted groups and

individuals, there should be an equal amount of effort on behalf of western governments and international media to put pressure on the authorities to release prisoners unjustly jailed for their activism and work.

So far this is proving to be a difficult task given the priorities many Western governments have. Surely energy is high on the agenda. And where energy security is a concern, there is little space, if any, for human rights or any other freedoms. Then there is also the caveat, in fact so much of it that one may forget even about energy security and other priorities. How much longer can indifference, greed and neglect get in the way of those western governments who promote rights and freedoms when needed? And even if they are engaged in some form of behind-closed-doors diplomacy, does not this create another venue for financial inducements, something the Azerbaijani government is already quite good at?

#### *About the Author*

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9 EITI and Azerbaijan: headed for divorce? Marinke Fan Riet, January 15, 2015, <<http://www.publishwhatyoupay.org/newsroom/blog/eiti-and-azerbaijan-headed-divorce>>, last accessed on February 14, 2015