

Azerbaijan - Human Rights Scorecard ¹

Situated in the South Caucasus region, at a crossroads between Southwest Asia and Southeastern Europe, Azerbaijan is bordered by the Caspian Sea, Russia, Georgia, Armenia and Iran. Proclaiming its independence in 1918, Azerbaijan became one of the first democratic, secular states in the region. Although it ranks on par with most Eastern European countries when it comes to human development, Azerbaijan continues to imprison many political protestors. Its human rights situation has deteriorated dramatically in the past few years due to growing intimidation and repression.

Official language: Azerbaijani

Ethnic groups: Azerbaijani 91.6%, Lezghin 2%, Russian 1.3%, Armenian 1.3%, Talysh 1.3%, other 2.4%

Government: Unitary dominant-party semi-presidential republic

- President: Ilham Aliyev
- Vice President: Mehriban Aliyeva
- Prime Minister: Artur Rasizade

Death penalty: Abolished in 1998

Population: 9,872,765

Life expectancy: 72.5 years

Under-5 mortality: 35 per 1000

Adult literacy: 99.8 percent



Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

Human Development (UNDP Human Development Index (HDI)) ²



0.759 – High Human Development ³

According to the UNDP, Azerbaijanis enjoy a gross national income per capita of \$16,413, and could expect to have on average 15.2 years of schooling. However, other countries with comparable gross national income per capita tend to have a much higher HDI.

Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ⁴

Due to the separatists continued control of 8 Azerbaijani territories, heavy armed clashes have succeeded in the past years.

Freedom from disappearance



Respected ⁵

There are no reports of political disappearances in Azerbaijan.


Freedom from torture and other cruel, inhuman or degrading treatment or punishment




Partially disrespected ⁶

Although the constitution and the criminal code prohibit such practices, there are allegations of torture and other abuses while in police custody. Those who commit offenses have impunity as the government has banned independent examinations of detainees who claim mistreatment.


Freedom from arbitrary arrest or detention

	<p>Partially respected ⁷</p> <p>Although laws prohibit arbitrary arrest and detention, impunity remains a problem and the government authorities do not respect such provisions.</p>
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Freedom from denial of fair public trial

	<p>Partially respected ⁸</p> <p>Although the constitution provides for an independent judiciary system, many verdicts are legally weak and appear predetermined. Courts often fail to investigate allegations of torture or inhumane treatments.</p>
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Freedom from arbitrary interference with privacy, family, home or correspondence

	<p>Partially respected ⁹</p> <p>Although the constitution and the law prohibit invasions of privacy, authorities conduct searches without warrants. Police harass, intimidate and arrest family members of suspected criminal, journalists or political opposition members.</p>
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Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.


Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹⁰

	<p>Score: 56.40, Rank: 162 / 179 – Highly controlled, limited or intimidated ¹¹</p> <p>The president has been waging a war against critics. Independent journalists, bloggers and family members of such people are harassed and even imprisoned.</p>
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Freedom from academic censorship

	<p>Partially respected ¹²</p> <p>Opposition party members have difficulty finding jobs. In addition, ethnic minority cultures are repressed and local dialects cannot be taught.</p>
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Freedom of peaceful assembly and association

	<p>Partially respected ¹³</p> <p>While the constitution provides for freedom of assembly, this right is not honoured, as police use force to detain peaceful protestors.</p>
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Freedom of religion

	<p>Partially respected ¹⁴</p> <p>Although the constitution protects the right of individuals to express their religious beliefs, many laws were put in place to limit the freedom of religions considered “non-traditional”.</p>
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Freedom of movement

	<p>Partially respected ¹⁵</p> <p>Azerbaijan’s constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. However, an increasing number of activists and journalists have found their right to movement limited.</p>
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Protection of refugees and stateless persons

	<p>Partially respected ¹⁶</p> <p>The government has cooperated with the UNHCR to provide adequate protection and assistance to internally displaced persons, refugees, asylum seekers, stateless persons, etc.</p>
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Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{17 18}

	<p>6 / 7 – Not free ¹⁹</p> <p>The freedom of press is largely repressed; defamation remains punishable, freedom of assembly is restricted, and regressive laws are implemented. Azerbaijan has a dismal human rights record.</p>
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Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

Overall protection of political rights (*FreedomHouse Political Rights Index*)²⁰



7 / 7 – Not free²¹

Elections since the 1990s have not been considered free or fair by international observers. In fact, the main opposition parties boycotted the vote in 2015. Furthermore, commission members often interfere with the elections process.

Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²²



Score: 30%, Rank: 123 / 175 – Highly corrupt²³

Plagued by untrustworthy and badly functioning public institutions, authorities frequently engage in situations of bribery and extortion.

Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Largely disrespected²⁴

The Azerbaijani government severely limits the operations of domestic and international human rights groups, applying restrictive laws, a hostile environment and travel bans to some prominent defenders and human rights lawyers.

Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)²⁵



Listed – Armenian-backed separatists endangered²⁶

The rise in hostilities between Azerbaijani forces and the separatists has led to mass killings.

Rights of women (*World Economic Forum Gender Gap Index*)²⁷



Score: 68.4%, Rank: 86 / 144 – Very unequal rights²⁸

According to the law, women enjoy the same legal rights as men. However, traditional social norms and lagging economic development in the country's rural regions continue to restrict the role of women in the economy.

Rights of Children (*KidsRights Index Overall Score*)²⁹



Score: 75.7%, Rank: 76 / 165 – Somewhat protected³⁰

The right to education, to protection, health and other basic requirements are not guaranteed for each and every child.

Rights of persons with disabilities



Partially respected³¹

Although there are some areas in which the Azerbaijani government's enforcement of laws surrounding the protection of persons with disabilities is applied, there is much room for improvement, especially regarding employment discrimination.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected³²

Citizens of Armenian descent report discrimination in employment.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Partially respected^{33 34}

Although antidiscrimination laws exist in Azerbaijan, they do not specifically protect lesbian, gay, bisexual, transgender or LGBTI individuals. Societal intolerance remains a problem.

Section 8: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Partially respected³⁵

Although the law allows for a range of independent union organization, the government does not effectively enforce laws regarding freedom of association and collective bargaining. Administrative penalties are not sufficient to deter violations.

Freedom from forced or compulsory labour



Partially respected³⁶

The Azerbaijani laws prohibit forced or compulsory labor, except in circumstances of war or in the execution of a court decision under the supervision of a government agency. Resources and inspections were inadequate.

Freedom from forced labour for children, and a minimum age of employment



Partially respected³⁷

The law prohibits employing children under the age of 18 in difficult and hazardous conditions, and identifies specific work and industries in which children are prohibited. Nevertheless, these laws were inconsistent, inadequate and the penalties did not deter violations.

Right to acceptable conditions of work



Partially respected³⁸

Migrant workers are at times subjected to forced labour in the construction industry. Forced begging by children is a problem, and Azerbaijani employees of foreign oil companies reported lower pay, working without contracts or health care.

Right to employment



5.5% - Reasonable unemployment³⁹

Azerbaijan has been using its resource wealth well over the past decade, inducing the reduction of poverty, the growth of the middle-class and the sharing of prosperity among the population.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can

end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed June 2, 2017 <http://hdr.undp.org/en/composite/HDI>

³ "Table 1: Human Development Index and its components, Azerbaijan" UNDP, based on 2014 or the most recent year available. Accessed June 2, 2017. <http://hdr.undp.org/en/composite/HDI>.

⁴ "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

⁵ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ Ibid. U.S Department of State.

¹⁰ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

¹¹ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed June 2, 2017. <http://rsf.org/index2014/en-index2014.php>.

¹² "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

¹³ "Azerbaijan." World Report 2014: Azerbaijan. January 1, 2014. Accessed June 2, 2017. <https://www.hrw.org/world-report/2014/country-chapters/azerbaijan>.

¹⁴ "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

¹⁵ "Azerbaijan." World Report 2014: Azerbaijan. January 1, 2014. Accessed June 2, 2017. <https://www.hrw.org/world-report/2014/country-chapters/azerbaijan>.

¹⁶ Ibid. World Report 2014: Azerbaijan.

¹⁷ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁸ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁹ "Azerbaijan." Freedom in the World 2014: Azerbaijan. January 1, 2014. Accessed June 2, 2017. <https://freedomhouse.org/report/freedom-world/freedom-world-2016>.

²⁰ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

²¹ "Azerbaijan." Freedom in the World 2014: Azerbaijan. January 1, 2014. Accessed June 2, 2017. <https://freedomhouse.org/report/freedom-world/freedom-world-2016>.

²² Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²³ "Azerbaijan." Corruption by Country. January 1, 2014. Accessed June 2, 2017. <https://www.transparency.org/country/AZE>.

²⁴ "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

²⁵ The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed June 2, 2017. <http://peoplesunderthreat.org/>.

²⁶ "Azerbaijan." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed June 2, 2017. <http://peoplesunderthreat.org/countries/azerbaijan/#background>.

²⁷ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁸ "Azerbaijan." World Economic Forum. January 1, 2014. Accessed June 2, 2017. <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=AZE>.

²⁹ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

³⁰ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed June 2, 2017. <http://www.kidsrightsindex.org/>

³¹ "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State.

³⁴ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³⁵ "AZERBAIJAN 2016 HUMAN RIGHTS REPORT." U.S Department of State. Accessed June 2, 2017. <https://www.state.gov/documents/organization/265608.pdf>.

³⁶ Ibid. U.S Department of State.

³⁷ Ibid. U.S Department of State.

³⁸ Ibid. U.S Department of State.

³⁹ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed June 2, 2017. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.