

# Testimony of Turkel Karimli

Tom Lantos Human Rights Commission Hearing

Azerbaijan: Do Human Rights Matter?

September 15, 2016

My name is Turkel Karimli, and I am the son of opposition leader Ali Karimli, who is chairman of the Popular Front Party of Azerbaijan, board member of the National Council of Democratic Forces, and a former political prisoner. I am testifying today on his behalf, because he has been unable to travel for the past decade as a result of the Government's refusal to reissue his passport.

The Government of Azerbaijan has begun to implement a relentless and uncompromising plan to eradicate the fundamental pillars of Azerbaijani democracy: political opposition, political parties, civil society, and a free, transparent media. Its ultimate aim is to silence any alternative voices and to cripple the multi-party system in Azerbaijan. The Government targets opposition parties and their members at all levels and ranks, all remaining independent media outlets, and also political dissidents and their families.

Since the collapse of the national currency, the Manat, and the onset of economic recession, the Azerbaijani Government has increased its use of repressive tactics against the political opposition and the free media. Instead of tackling the root causes of economic hardship, the Government seeks to prevent any political leader or civic organization from presenting to the increasingly angry citizens of Azerbaijan any alternative vision or solution. As part of its strategy, the regime of President Aliyev has increasingly persecuted the political opposition, embarking on a ridiculous propaganda campaign. It has accused the main opposition party – the Popular Front Party of Azerbaijan (PFPA) – and its leader – Ali Karimli, my father – of attempting to organize a Gulenist coup in the country. Further, President Ilham Aliyev is proposing a referendum on constitutional amendments that are intended to ensure his absolute and unchecked power, allowing him to tighten his grip on power and to formalize a dynastic regime.

## **Proposed Constitutional Changes and September 26 Referendum**

This will be the third attempt to amend the original meaning of the Constitution adopted in 1995, and to grant Ilham Aliyev even more extensive executive powers. The proposed amendments would limit the rights and liberties enjoyed by Azerbaijani citizens and impose significant constraints on property, citizenship and information rights. The proposals, collectively, would violate Azerbaijan's obligations under the European Convention on Human Rights. Article 155 of the Azerbaijani Constitution prohibits the possibility of constitutional amendment via a referendum if any of the

Chapter 3 rights would be constrained or annulled. As such, the proposed constitutional amendments are not lawful. The Aliyev regime wants to completely abolish the essential republican principles of separation of powers, and of checks and balances. These principles are already ignored and exist on paper only, yet Ilham Aliyev is adamant in his intention to formalize absolute power. The proposed changes would enable him to dissolve the parliament whenever he likes, as well as appoint a Vice President (a new proposed institution) free of the need for parliamentary oversight and approval. Aliyev is also proposing to lengthen the presidential terms from 5 to 7 years, and to be able to call presidential elections at his own pleasure. These measures would grant Aliyev the increased flexibility and a tighter grip on power that he finds so necessary given the current socio-economic circumstances. The fact that Aliyev is reducing the power of the Azerbaijani Parliament is clear evidence of his distrust of members of parliament, many of whom have their own loyalties to various oligarchs. Clearly, Aliyev wants to avoid any need to share the executive power with anyone or any other government branch. The proposed abolishment of the presidential age requirement – currently 35, also strongly suggests that he is preparing to hand over his throne to his son, in order to formalize a dynastic regime.

In 2013 the OSCE declared that in 58% of Azerbaijani constituencies elections were not held in accordance to the recognized standards of free and fair elections. Following this damning report of widespread election fraud, the OSCE was forced to leave Azerbaijan, and has currently no presence in the country. No foreign election observer was allowed to monitor the 2015 parliamentary elections. And in the absence of any public campaign or opportunity to publicly debate the proposed constitutional amendments, and in the absence of foreign observers, it is beyond reasonable doubt that the referendum vote will also be rigged.

We believe that the only way to safeguard Azerbaijani democracy is by speaking out against the repressive methods of the Aliyev regime – and that doing so must involve a robust condemnation of Aliyev's tactics by Western governments, and a targeted use of sanctions against those individuals in Government most implicated in corrupt and oppressive practices.

### **What has led to this situation?**

The Azerbaijani Government is well-known for its consistent use of repressive tactics against the political opposition and the leading political parties, in particular. For many years the Aliyev regime has consistently rigged elections and prevented the establishment of a competitive political environment. Widespread electoral fraud began under the leadership of Heydar Aliyev, and was intensified under the reign of his son, Ilham Aliyev, in the rigged presidential elections of 2003 and all subsequent elections. The parliamentary elections of 2005 saw unprecedented levels of fraud, as a consequence of which the political opposition was removed from Parliament and ceased to have any meaningful presence in the legislature. The irregularities of the 2005 elections were effectively publicized by the international media, and political opposition candidates, alleging electoral fraud, won every single case brought to the

European Court of Human rights. Nearly fifty cases confirmed the widespread use of ballot stuffing and other fraudulent activities.

The Aliyev regime employs many further tools of totalitarian control. Many opposition politicians and activists have been jailed on trumped-up charges. The independent media was silenced. Recently these acts of repression have intensified, with the Popular Front Party of Azerbaijan (PFPA) in particular having been consistently targeted. The headquarters of the PFPA were illegally seized in 2006, and a few years later its new premises were sealed on official orders in the absence of any legal justification. Most recently, in 2014 the Party's headquarters was destroyed in an explosion. The circumstances of this explosion were peculiar. The landlord of the rented office space had been explicitly threatened by a member of the Government's security apparatus that if he did not terminate the lease given to the PFPA, the offices would be destroyed. The landlord recorded the phone conversation and published it on YouTube following the explosion.

The most serious attack against the Popular Front Party is the targeting of its members. Due to its consistent and democratic opposition to the Aliyev regime, the party members, at all levels of leadership, have been relentlessly targeted: currently 11 members of PFPA are in jail serving lengthy sentences. These include five high-ranking party officials and two deputies of the Party's chairman, Ali Karimli. In addition to these individuals, many party activists are routinely arrested and detained for periods of up to 20-30 days. In last three years, nearly 50 members have received hefty fines. Karimli's brother-in-law, and my uncle, Elnur Seyidov was jailed for seven and a half years on falsified charges. After four years suffering in jail (having been diagnosed with multiple sclerosis) my uncle recently received a death threat in jail. Other family members have also been targeted. My father's cousins were jailed and many lost their jobs and private enterprises. I myself was detained for 25 days during the presidential elections in 2013.

Targeting family members is a new and disgraceful method utilized by the Aliyev regime. PFPA party official Natiq Adilov's brother Murad Adilov has also been jailed. Similar tactics are used against other political parties and organizations as well as public figures brave enough to voice criticisms of the Government. The REAL, or Republican Alternative movement, has been similarly targeted. In January of 2013, its leader Ilgar Mammadov was jailed on trumped up charges and is still in prison, in spite of a ruling in the European Court of Human Rights in his favour. The deputy leader of the Musavat Party, Faraj Mammadov, and five popular youth activists of NIDA civic movement are also in jail. So are a number of bloggers and journalists. A large proportion of those imprisoned on political grounds are religious activists.

Of course, the Aliyev regime has also found ways of targeting those far away from Azerbaijan, and the situation is getting worse. Political dissidents in various Western countries have had a particularly bitter taste of the Aliyev regime's repression machine. Many political dissidents currently abroad have had their family members jailed or harassed. The director of 'Azerbaijani Hour' TV channel Qanimat Zahid has had his brother jailed. Emin Milli and Gunel Movlud of Meydan TV suffered similar fates. Emin Milli's brother-in-law was jailed, so were two brothers of a well-known writer, Gunel

Movlud. There are acts of harassment against the families of well-known political dissidents. Family members of a dissident and well-known member of the youth wing of the PFFA, Turkel Azerturk, were threatened with imprisonment.

A crucial part of the Aliyev regime's latest reinforced crackdown on the opposition and civil society is the attack on free media. In 2014 Radio Free Liberty was shut down, unlawfully, following a bogus "criminal investigation." Prior to its closure, RFE/RL had already lost access to the crucial FM wavelength, which significantly hindered its effectiveness and reach. Many reporters and journalists of Meydan TV were repeatedly harassed and detained. As mentioned above, senior staff and leadership including Emin Milli were singled out for the most disgraceful forms of harassment. Lately the Aliyev regime has increased the crackdown against the only remaining independent newspaper – Azadliq. Various methods were used in order to force it into bankruptcy. The primary newspaper distribution agency, being in the hands of the Azerbaijani Government, refused to pay its debt to Azadliq. The newspaper's financial director, Faiq Amirli, was arrested and detained for three months pending trial on patently ridiculous charges of pro-Gulen involvement.

Once the newspaper tried to withdraw its funds from the bank, it was met with rejection – the bank would only release the funds to the financial director, who is currently in jail. In the absence of any legal justification, the bank refused withdrawal rights to employees with delegated authority from Faiq Amirli. Unable to recover its debts, and with no access to its funds in the bank, the newspaper is on the brink of a complete closure, having already ceased its print editions. Currently, all of its employees have agreed to work unpaid. Yet clearly such arrangements are not sustainable. If the government does not give up on its repressive tactics, Azadliq – the only remaining free newspaper, and a winner of "The Guardian Journalism Award" – may end up being shut down.

No one is safe from the repressive machinery of President Aliyev. Indeed, the bulk of political prisoners are in fact religious activists. Those imprisoned include public figures and followers, known for their peaceful methods and moderate stances. The Government of Azerbaijan has fabricated allegations of terrorism against them, and just from one criminal investigation into events in Nardaran last year, nearly seventy religious activists were jailed. One of the leaders of moderate religious groups, Taleh Bagirzade, who has publicly denounced the creation of a Sharia state in Azerbaijan, has been imprisoned now for the third time. Taleh Bagirzade and his followers face lengthy prison sentences, and have been subjected to unspeakable torture.

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The latest blatantly dishonest campaign against the political opposition and against the PFFA and my father in particular began just a month ago. The Azerbaijani Government commenced a criminal investigation, accusing the PFFA, its members, and my father of working for Fetullah Gulen, and of devising a plan to overthrow the Azerbaijani Government by force. Of course, these accusations are false, and no one credible believes them.

First things first: accusing Ali Karimli of working for “foreign powers” is an old government propaganda tool used over many years. Just six months prior to the Gulenist allegations, my father was accused of conspiracy with Shia Muslim sects in Azerbaijan, which are the religious and ideological antithesis of the Gulenist movement. Prior to that, at one point, the PFPA and Ali Karimli were accused of allying with ISIS (with government provocateurs bringing ISIS flags to peaceful opposition rallies) and also of partnering with a surviving clan of Pablo Escobar’s narcotics empire. The recent Gulen allegations are equally laughable and lack even a hint of evidential or factual basis. In fact, at the time of attempted coup in Turkey, Ali Karimli was one of the first foreign politicians who denounced the coup attempt. Whilst Ilham Aliyev waited for almost a day (until after the coup failed) to pick a side, Ali Karimli immediately denounced the coup whilst President Erdogan was still away from Turkey and at the time when the outcome was far from certain. The members of PFPA arrested for their alleged links to Gulen – Faiq Amirli, Fuad Ahmadli and Gadim Bakirov – were detained in the absence of any real investigation – not a single piece of evidence adduced against them. In fact, the religious pro-Gulen texts planted in the trunk of Faiq Amirli’s car (witnessed by a neighbor who saw two unidentified individuals planting the books) were written and published by top-level Government officials and printed by businesses under their control. All of this notwithstanding, the basic fact is that the alleged “incriminating” books are easily available to the general public at the Central Library of Azerbaijan. A member of the NIDA civic movement, Elgiz Gahramanov, was also a victim of these bogus allegations and has reportedly been subjected to torture following his arrest and detention.

Of course, faithful to their history of ridiculous allegations, the same government propaganda outlets accusing my father of being a Gulenist are now saying that he is in fact working for Western governments with the ultimate aim of overthrowing President Aliyev via revolts.

### **Why is this Happening Now?**

In light of such a dramatic rise in repression, a pressing question emerges: Why now? What is the underlying cause of the recently intensified crackdown on dissent? The answer has to do with the new socio-economic reality in Azerbaijan, as well as the recent increase in the political opposition’s strength and reach. Having ruled the country with corruption and incompetence at the highest level, the Aliyev regime was caught off-guard by the sharp decline in the price of oil. The dependence on oil, and a drastic devaluation of the national currency, the Manat, has resulted in a financial crisis of previously unseen scale. According to the World Bank’s data, the value of Azerbaijani GDP in USD has declined from 75 billion to 53 billion – a decrease of 29% in a space of a year. Real incomes have decreased by more than half, and this is accompanied by a sharp increase in consumer prices and unemployment. All of these factors put new pressures on a regime used to consistent oil revenues.

Meanwhile, the political opposition has been growing in strength. In spite of all the hardships and unprecedented repression, in spite of denial of basic operating facilities, and the clampdown on the remaining free media, the political opposition and PFPA and

National Council in particular have been growing in strength. The PFPA, Ali Karimli, Jamil Hasanli and other leading National Council politicians as well as other politicians from REAL and Musavat, can now reach thousands of people in a short period of time, thanks to the increasing usage of social media platforms like YouTube, Facebook and twitter. In fact, and notwithstanding the most recent arrests and government propaganda campaigns – in a country declared as “not free” by Freedom House and one that has more than 100 political prisoners – the National Council and PFPA recently held one of the biggest opposition rallies in Azerbaijan. The rally took place on 11<sup>th</sup> September 2016, and by many estimates attracted more than 15,000 people, making it the biggest in the last three years. All of this is making Ilham Aliyev and his inner circle increasingly anxious. Instead of engaging in meaningful and essential economic, legal and political reforms, Ilham Aliyev has decided to silence the alternative political voices whilst simultaneously tightening his grip on absolute power.

### **Conclusion**

Azerbaijan is at the crossroads. The Aliyev regime needs to back down from the disgraceful and relentless campaign against the political opposition and to halt the crackdown against civil society and free media. All political prisoners must be released, and the government must undertake a serious commitment to introduce meaningful political and economic reforms. In the absence of these measures, and given the current socio-economic conditions, the country is on a path to chaos and civil conflict. All of the available empirical evidence shows, conclusively, that backdoor diplomacy does not work with Aliyev, and that without the threat of sanctions and the condemnation from Western governments, Ilham Aliyev will not commit to democratic reforms. In fact, most of the results followed the threat of the *Azerbaijan Democracy Act*, and the *Global Magnitsky Human Rights Accountability Act*. We believe that the introduction of targeted sanctions against government officials at the highest level of leadership would be very effective in pushing the Aliyev regime away from dictatorship and towards democratic reform. Such sanctions must be made against specific individuals and not against the state. Individuals including the ruling family, who engage in corruption and repressive acts against the political opposition, civil society and free media, must be targeted for sanctions. The people of Azerbaijan want to live in a free and democratic state. The Azerbaijani opposition, in spite of the accelerating crackdown and repression, will resolutely continue to advocate peacefully for democracy and for fundamental freedoms: to establish a democratic state, with the rule of law, a separation of powers, and a competitive political forum. Meanwhile, the West must do everything in its considerable power to discourage Aliyev from continuous engagement in political repression, and to deliver a clear message that such conduct will no longer be tolerated.

Thank you.