



# Observations of the European Platform for Democratic Elections (EPDE) regarding the pre-election legal and political environment for the upcoming September 1, 2024, snap parliamentary elections

*The European Platform for Democratic Elections (EPDE) presents its observations on the pre-election legal and political environment leading up to the snap parliamentary elections scheduled for September 1, 2024. EPDE has undertaken this effort to highlight the critical issues, affirming the commitment to supporting continued efforts in promoting democratic standards and safeguarding electoral integrity in challenging environments.*

## SUMMARY OF OBSERVATIONS

EPDE observed the preliminary phase of the snap parliamentary elections scheduled for September 1, 2024—including candidate nominations and registration, as well as the state of human rights during the pre-election period. These observations are based on official reports and documents, open sources, and information collected from candidates and registered and unregistered observers.

EPDE notes that although the snap parliamentary election on September 1, falls six months after the last presidential election, there has been no political will demonstrated by the Azerbaijani authorities to improve election legislation and practices, or to address election complaints. This includes a lack of effort to study and implement previous recommendations from local and international observers, including the OSCE Office for Democratic Institutions and Human Rights.

EPDE regrettably reports that in the lead-up to the snap parliamentary election on September 1, 2024, the crisis in protecting political freedoms in the country has deepened. Restrictions on freedom of expression, assembly, and association have not been lifted; rather, politically motivated arrests have increased in an unprecedented scale. There have been growing bans on the activities of independent civil society organizations and independent media, as well as increased harassment of journalists, human rights defenders and public activists.

In particular, Anar Mammadli, the head of the country's largest and only election monitoring organization, who was active in observing the February 7, 2024, presidential elections and providing the public with alternative reports and information, has been arrested. Prior to this, Abzas Media<sup>1</sup>, which covered the elections, as well as employees of

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<sup>1</sup> <https://jam-news.net/arrests-in-azerbaijan-abzasmedia-case/>

Toplum Tv (March 6, 2024)<sup>2</sup> and the head of Majlis.info, Imran Aliyev<sup>3</sup>, were also arrested on fabricated charges.

More than 30 civil society activists (human rights defenders, journalists, public activists) have been forced to leave the country. Many of other activists have been banned from leaving the country. They have been coerced into cooperating with investigations through various forms of pressure.

Unlike the last snap parliamentary elections held in 2020, there has been a noticeable lack of activity from political parties and independent candidates in the upcoming elections. Almost none of the independent candidates from previous elections have participated in this election cycle. The largest party in the country, the Azerbaijan Popular Front Party (APFP), has boycotted the elections.<sup>4</sup> The Musavat Party has decided to participate with a limited number of representatives but has not put forward its leaders as candidates.<sup>5</sup> The leaders of the Umid Party, the Azerbaijan Democratic Party (ADP), the Citizen Solidarity Party, and the Unity Party have expressed their unwillingness to participate in the elections.

There has been no democratic environment for active participation of civil society organizations and political parties in the snap parliamentary elections on September 1. The level of activity observed during the last parliamentary elections in February 2020 has not been recorded. While 1,637 candidates<sup>6</sup> were registered at that time, as of August 8, 2024, the official data indicates that the number of registered candidates has been 1030. Many independent groups that participated as candidates and observers in previous elections have shown no interest in participating in this election due to pressure. As a result, the essential conditions for a free and fair election, namely political alternatives and a pluralistic environment, have not been ensured.

After the snap parliamentary elections were announced, Azerbaijan invited various international organizations to observe, but notably excluded the Parliamentary Assembly of the Council of Europe (PACE), continuing a trend seen in previous elections. While 228 international observers were accredited, the involvement of independent civil society organizations was severely restricted, with key figures like Anar Mammadli of the EMDS being arrested and other observers facing intimidation and threats. Local observers, though accredited, are viewed with skepticism due to their perceived alignment with government interests and unclear methodologies, raising concerns about the fairness and transparency of the election monitoring process.

EPDE considers the pre-election environment for the September 1, 2024, parliamentary elections to be undemocratic and calls on the Azerbaijani authorities to demonstrate political will to resolve the ongoing political crisis and conduct free and fair elections.

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<sup>2</sup> <https://turan.az/en/politics/the-detention-of-three-more-arrested-in-the-case-of-toplum-tv-has-been-extended>

<sup>3</sup> <https://turan.az/en/politics/imran-aliyev-has-been-brought-to-justice-in-the-case-of-abzas-media>

<sup>4</sup> <https://turan.az/en/politics/azerbaijan-popular-front-party-to-boycott-early-parliamentary-elections-782479>

<sup>5</sup> <https://turan.az/en/politics/the-musavat-party-has-decided-to-participate-in-the-parliamentary-elections>

<sup>6</sup> However, as of January 31, 312 of them have withdrawn their candidacies.

## I. INTRODUCTION

This report is based on the observations of the EPDE experts who have monitored the early stage of the election campaign for the September 1, 2024 snap parliamentary elections in Azerbaijan.

EPDE recalls that the the only independent election observation institution – the Election Monitoring and Democracy Studies Center (EMDS) was consistently faced persecution over the two decades.

On December 2, 2021, the ECHR issued rulings based on Election Monitoring Center's (former EMDS) application, and on January 12, 2023, another ruling based on EMDS's application, regarding the failure to grant state registration. The Court evaluated these situations as violations of Article 11 of the European Convention (freedom of association and assembly). However, during this period, the Azerbaijani Supreme Court has not taken the necessary legal actions to implement the ECHR's decisions or to register EMDS.

Since 2001, EMDS (formerly EMC) has monitored 17 elections in Azerbaijan. To date, EMDS has provided training to over 15,000 individuals, offering more than 700 sessions on election monitoring. They have also provided legal and technical assistance for the accreditation of these individuals in election commissions. It should be noted that due to unjustified reasons, EMDS has not been registered with the Ministry of Justice, which prevents it from applying for accreditation with the Central Election Commission (CEC). In this regard, EMDS traditionally collaborates with independent observers who are registered with election commissions.

EMDS is a member of several important networks, including the European Platform for Democratic Elections (EPDE), the European Network of Election Monitoring Organizations (ENEMO), the Eastern Partnership Civil Society Forum, and the Global Network of Domestic Election Monitors (GNDEM). EMDS operates<sup>7</sup> based on the principles outlined in the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations.

## II. PRE-ELECTION LEGAL AND POLITICAL ENVIRONMENT

### a) Appointment of the Election

The ruling New Azerbaijan Party (NAP) deemed it appropriate to propose moving the elections two months earlier during a meeting of the NAP Board of Directors on June 20, 2024. On June 21, a request from NAP members of parliament to dissolve the parliament was submitted to the Milli Majlis. The request cited the necessity of holding the parliamentary elections earlier due to their coinciding with the COP29 summit.

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<sup>7</sup> The Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, <https://gndem.org/declaration-of-global-principles/>

According to the Constitution, parliamentary elections were scheduled to take place in November 2024. However, COP29 is set to be held in Azerbaijan that month.

It should be noted that the right to call early elections was introduced into national legislation following a referendum held on September 26, 2016. The Venice Commission of the Council of Europe criticized the changes, noting that the motivations for the amendments were unclear, that the Parliament was not involved in the discussion of the referendum act, and that there were no regulations concerning the entry into force of the constitutional amendments.

On June 21, 2024, a decision was made regarding the “Request to the President of the Republic of Azerbaijan on the Appointment of Early Elections to the Milli Majlis of the Republic of Azerbaijan.” The President submitted this decision to the Constitutional Court to check its compliance with the Constitution. On June 27, the Constitutional Court, based on the “Request to the President of Azerbaijan Regarding the Appointment of Early Elections to the Milli Majlis,” deemed the dissolution of the Milli Majlis and the appointment of early elections to be in accordance with Article 98 of the Constitution of the Republic of Azerbaijan.

On June 28, based on a decree by President Ilham Aliyev, the Milli Majlis of the Republic of Azerbaijan was dissolved, and early parliamentary elections were scheduled for September 1, 2024.

Local experts and opposition party leaders have concluded that this procedure is not in accordance with the Constitution and do not consider<sup>8</sup> the justification for the early elections as legitimate. It is worth noting that the Milli Majlis was previously dissolved on December 5, 2019, and early elections were also scheduled at that time.

## **b) Organization of local and foreign election observation**

After the snap parliamentary elections were announced, requests were made to invite international observers for election monitoring. According to initial information from the Central Election Commission (CEC), the Ministry of Foreign Affairs was primarily responsible for this task. It was later revealed that organizations such as the OSCE, Commonwealth of Independent States (CIS), TurkPA, GUAM, and others were approached for observation. As a result, 228 observers from 24 international organizations and 43 countries were accredited.

However, the Parliamentary Assembly of the Council of Europe (PACE) was not invited to observe the elections in Azerbaijan. Previously, PACE was also not invited to monitor the early presidential elections, which led to a political crisis and ultimately resulted in the suspension of Azerbaijan's delegation's mandate for one year. Generally, only the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) observation mission (and

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<sup>8</sup> The news agency Turan: "Dissolution of Milli Majlis Unconstitutional, Says Jamil Hasanli" 28 June 2024, <https://turaz.az/en/politics/dissolution-of-milli-majlis-unconstitutional-says-jamil-hasanli-781985>

PACE representatives when invited) engages with independent civil society, election monitoring organizations, and political parties. Other observation missions typically meet exclusively with the government and produce reports reflecting the government's interests.

Local monitoring organizations and groups have been excluded from participating in the elections. For instance, the head of the Election Monitoring and Democracy Studies Center (EMDS), Anar Mammadli, was arrested before the election, effectively paralyzing the organization's activities. Representatives of the organization were threatened through law enforcement agencies. Other independent organizations were unable to conduct monitoring due to the lack of funding and the high risks involved. They decided to operate only as small expert groups, but even this did not shield them from pressure and threats. Independent observer Mammad Mammadzada was questioned by the Central Election Commission (CEC) about his intentions to monitor the elections when he attempted to register. He was threatened with being reported to law enforcement. A few days later, Mammadzada was banned from leaving the country, and there were attempts to involve him in Anar Mammadli's criminal case.

According to the Central Election Commission (CEC), a total of 38,744 local observers have been accredited to participate as observers in the upcoming snap parliamentary elections. Of these observers, 5,621 have registered with the CEC, while 33,123 have registered with district election commissions. However, these observer groups have previously released information about election results that has been perceived as unfair and aligned with the interests of the government. The financial sources and membership of these observer groups have remained unclear, and the methodology they use for monitoring is not specified. As a result, they are not taken seriously by local and international organizations.

### **c) Pre-Election Legal Environment**

Since the last parliamentary elections in 2020, neither the parliamentary authorities nor the central executive authorities have demonstrated political will to improve the Election Code. On the contrary, new restrictive legal norms introduced into national legislation concerning media and political parties have negatively impacted freedom of expression and the right to freedom of association, as well as the electoral process.

The "Media Law," which came into effect in February 2022, introduces several new provisions for the creation of a unified registry of media and the regulation of media activities. Independent journalists have viewed the adoption of this law as an attempt to bring free media under control. The Venice Commission of the Council of Europe, in its expert opinion on the law, stated that in Azerbaijan, which already has limited space for independent journalism and media, this normative act would create an additional "chilling effect."<sup>9</sup>

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<sup>9</sup> [https://www.venice.coe.int/webforms/documents/?pdf=CDL\(2022\)017-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL(2022)017-e)

The Venice Commission also stated that this law does not comply with European standards on freedom of expression. It is important to note that, unlike previous elections, this law will prevent all journalists from covering the early presidential election. Only journalists registered in the media registry will have the opportunity to observe the voting process on election day.

In January 2023, following the enactment of the new "Political Parties Act," 29 out of the 58 political parties operating in Azerbaijan suspended their activities within the first six months. Some parties have attributed this to the restrictive provisions of the new law. Notably, the new law increased the required number of members for party registration to 5,000. According to the law, if the number of members in a registered political party falls below 4,500, its legal status can be revoked by court order. The joint opinion of the OSCE Office for Democratic Institutions and Human Rights and the Venice Commission of the Council of Europe expressed serious concerns that the new regulations pose significant challenges to the protection of the right to freedom of association, as enshrined in both international human rights documents and the national Constitution.<sup>10</sup>

For over four years, Azerbaijan has kept its land borders closed since the onset of the COVID-19 pandemic in March 2020, making it the only country to continue such restrictions under the pretext of ongoing public health concerns. Despite the World Health Organization (WHO) declaring the pandemic over in May 2023, the Azerbaijani government persists with strict quarantine measures, raising significant concerns about the true motives behind the prolonged land border closures.<sup>11</sup> This extended restriction on movement not only lacks clear justification but also constitutes a violation of the constitutional freedom of movement guaranteed to the citizens of Azerbaijan.

#### **d) Pre-Election Politically Motivated Arrests**

Currently, Azerbaijani civil society and media are experiencing the largest-ever wave of repression that began in the last quarter of 2022 and escalated in November 2023.

According to reports released by human rights organizations before the election, over 300 individuals are in detention<sup>12</sup> on political grounds. Additionally, based on information collected by EPDE from open sources, approximately 15 people were prosecuted on political grounds in 2024 alone, and pre-trial detention measures were applied to them.

Before the election, total political and legal pressure was applied to the employees of "Abzas Media" and "Kanal13" TV, two new online media platforms. Starting from November 20, 2023, arrests began targeting Abzas Media's staff. During approximately a month-long wave of arrests, the director of "Abzas Media", Ulvi Hasanli, the chief editor, Sevinj Vagifgizi, the deputy director, Mahammad Kekalov, and journalists collaborating with this media platform—Nargiz Absalamova, Elnara Gasimova, and Hafiz Babali—were

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<sup>10</sup> <https://www.osce.org/files/f/documents/1/4/543922.pdf>

<sup>11</sup> [https://azertag.az/en/xeber/azerbaijan\\_extends\\_special\\_quarantine\\_regime\\_until\\_october\\_1\\_2024-3066962](https://azertag.az/en/xeber/azerbaijan_extends_special_quarantine_regime_until_october_1_2024-3066962)

<sup>12</sup> <https://www.ipd-az.org/political-prisoners-for-14-jun2024/>

arrested. They were primarily charged under Article 206.3.2 of the Criminal Code (smuggling, committed by a group of persons in collusion). On November 28, Aziz Orujov, the head of “Kanal13” Internet television, was arrested and charged under Article 188.2 of the Criminal Code (violation of property, use, or lease rights over land).

In 2024, persecution and arrests continued. On March 6, law enforcement agencies conducted searches at the offices of “Toplum TV,” the “Institute for Democratic Initiatives,” and the “III Republic Platform,” as well as at the homes of several employees. According to reports, more than twenty employees were detained by the police, and most were released a few hours later. However, the offices of “Toplum TV” and the “III Republic Platform” were sealed. Although some of those detained were released, journalists Farid Ismayilov and Elmir Abbasov from “Toplum TV” were placed under house arrest with police supervision.

The head of the “Institute for Democratic Initiatives” and spokesperson for the “III Republic Platform,” Akif Qurbanov, as well as Mushfig Jabbar, Ali Zeynalov, Ramil Babayev, and Ilkin Amrahov, have been charged under Article 206.3.2 (smuggling committed by a group of persons in collusion) and have been placed under arrest. On March 8, Ruslan Izzatli, a founding member of the “III Republic Platform,” and Alasgar Mammadli, a co-founder of “Toplum TV,” were also arrested on the same charges.

On 17 April 2024, Jamil Mammadli, one of the rarest handful independent journalists acting in regions had also been charged with bogus charges of hooliganism, extortion, fraud crimes and was sentenced to 6 years and 2 months imprisonment by the Sumgait Grave Crimes Court.<sup>13</sup>

On April 18, Imran Aliyev, the head of the “Majlis.info” website, was detained at Heydar Aliyev International Airport. He was placed under arrest under Article 206.3.3 of the Criminal Code (smuggling committed by an official using their position). I. Aliyev reported that during his detention, he was subjected to ill-treatment and torture by law enforcement officials.

On April 29, Anar Mammadli, the head of the Election Monitoring and Democracy Studies Center, was detained, and a search was conducted at his home. Technical equipment and his phone were confiscated. On April 30, he was charged under Article 206.3.2 of the Criminal Code (smuggling committed by a group of individuals acting in concert) and, based on the court's decision, a detention measure was applied. Anar Mammadli denies the charges against him and considers his detention to be politically motivated.<sup>14</sup>

Several international organizations, including the U.S. Department of State and the U.S. Embassy, have called on the Azerbaijani government to immediately release Anar Məmmədli and other detainees. Anar Mammadli is the head of a non-governmental

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<sup>13</sup> <https://qafqazinfo.az/news/detail/cemil-memmedliye-6-il-2-ay-hebs-verildi-433148> ; <https://pressklub.az/az/xeber/cemil-memmedli-baresinde-hokm-quvvede-qalib-316154-az>

<sup>14</sup> <https://turan.az/en/politics/anar-mammadli-arrested-for-4-months>

organization specializing in election rights in Azerbaijan. He is the author of critical reports on elections.

Anar Mammadli is one of the founders of the COP29 - Climate of Justice Initiative, established on February 20 this year. This initiative focuses on ensuring civil liberties, promoting public participation, and establishing justice in the country. Anar Mammadli was previously arrested on December 16, 2013. He was charged with tax evasion, abuse of office, and falsifying election and referendum results. On September 29, 2014, he was awarded the Václav Havel Human Rights Prize during the autumn session of the Parliamentary Assembly of the Council of Europe (PACE).

On May 30, economist Farid Mehralizada was detained in connection with the “Abzas Media” case. On June 1, the court ordered his detention. Mehralizada stated in court that he had no involvement in any criminal activities and had no business dealings with “Abzas Media.” He has been charged under Article 206.3.2 of the Criminal Code, which pertains to smuggling committed by a group of individuals acting in collusion.<sup>15</sup>

Several individuals have been summoned for interrogation in relation to the mentioned criminal cases, with many of them having travel bans imposed. The vehicles of Anar Mammadli, Akif Qurbanov, and Ruslan İzzatli have been seized. Additionally, their family members' bank accounts and properties have also been subjected to seizure.

Azerbaijani citizen Afgan Sadigov, who is the head of Azel.TV, was detained at Tbilisi Airport on July 17 while attempting to travel from Georgia to Ankara. Although he was initially not allowed to leave the country, he was later released. He was informed that there was an issue with his passport.<sup>16</sup> Additionally, a travel ban was imposed on him for countries other than Azerbaijan. Sadigov has been living in Georgia since December 24 of the previous year, citing that he had moved there for medical treatment and found it dangerous to return due to threats.

On July 22, police detained Emin Ibrahimov, a former diplomat known for his critical views. He is accused of stabbing someone and facing criminal charges under Articles 126.2.4 (deliberate infliction of bodily harm with intent of hooliganism) and 221 (hooliganism) of the Criminal Code.<sup>17</sup> He has denied the allegations against him. Reports indicate that he was subjected to ill-treatment and torture during his detention. In September 2023, Emin Ibrahimov was administratively detained for 30 days for publishing an article titled "The Policy Playing into Russia's Hands." His writings criticized the government's deteriorating relations with the West and its growing closeness with Russia and other authoritarian states.

On July 24, the Sabail District Court selected a four-month detention measure for Iqbal Abilov, a Talish researcher. He is charged under Articles 283 (incitement of national hatred) and 274 (treason) of the Azerbaijani Criminal Code. According to his father,

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<sup>15</sup> <https://oc-media.org/azerbaijani-economist-kidnapped-and-detained-in-abzasmedia-case/>

<sup>16</sup> <https://turan.az/en/politics/afgan-sadygov-detained-in-georgia-at-the-request-of-azerbaijan-updated-783222>

<sup>17</sup> <https://jam-news.net/arrests-in-azerbaijan-former-diplomat/>



Shahin Abilov, Igbal Abilov denies the charges, stating he has not committed the alleged crimes. Talish activists believe that Igbal Abilov is being prosecuted on fabricated charges, and the real reason for his persecution is his research on various ethnic minorities, including the Talish community in Azerbaijan. The 35-year-old Igbal Abilov is the editor-in-chief of "Talish National Academy News," the press organ of the virtual "Talish National Academy."<sup>18</sup>

Since 2020, no positive steps have been taken regarding the cases of the Mammadli Group under the supervision of the Committee of Ministers of the Council of Europe. This group of cases pertains to the political persecution and imprisonment of civil society activists, journalists, and human rights defenders in Azerbaijan from 2013 to 2016 due to their activities and critical stance against the government. The cases in this group include those of Anar Mammadli, Intigam Aliyev, Khadija Ismayil, Giyas Ibrahimov, Bayram Mammadov, and Arif and Leyla Yunus.<sup>19</sup>

The Committee of Ministers of the Council of Europe has repeatedly stated that the Azerbaijani government has used criminal legislation to persecute and imprison its critics, civil society activists, journalists, and human rights defenders in violation of Article 18 of the European Convention on Human Rights. The Committee demands that the Azerbaijani Supreme Court annul the convictions of all applicants in this group and establish a consistent national judicial practice against politically motivated arrests, ensuring the independence of the courts.

Since November 2023, the pro-government media outlets in Azerbaijan have noticeably escalated its slander campaign against civil society and media entities with the accusations of collaborating with Western organizations. This has led to a series of legal repercussions for those targeted, including arrests, interrogations, blocking of bank accounts, and travel bans.<sup>20</sup>

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<sup>18</sup> <https://turan.az/en/politics/talysh-researcher-igbal-abilov-arrested-for-4-months-782877>

<sup>19</sup> <https://hudoc.exec.coe.int/?i=004-50875>

<sup>20</sup> March 8, 2024 - "Toplum TV" adapts its activities not to the laws of Azerbaijan, but to the directives from the United States. [https://musavat.com/news/toplum-tv-oz-fealiyyetini-azerbaycan-naunlarina-deil-abs-dan-gelen-direktivlere-ugunlasdirir\\_1051312.html](https://musavat.com/news/toplum-tv-oz-fealiyyetini-azerbaycan-naunlarina-deil-abs-dan-gelen-direktivlere-ugunlasdirir_1051312.html);

March 8, 2024: Where does Toplum TV's funding come from? <https://qafqazinfo.az/news/detail/toplum-tvni-maliyye-menbeyi-haradan-qaynaglanir-429575>;

March 9, 2024: More than half a million funds were illegally delivered to Azerbaijan via Toplum TV. <https://qafqazinfo.az/news/detail/toplum-tv-uzerinden-yarim-milyondan-cox-vesait-geyri-ganuni-azerbaycana-catdirilib-429641>;

January 30, 2024: Authorities continue searching for "spies" and "traitors" among civil society, <https://turan.az/en/politics/authorities-continue-searching-for-spies-and-traitors-among-civil-society>;

November 22, 2023: How are unregistered grants from the West implemented in Azerbaijan? - RESEARCH,

<https://report.az/analitika/qerbden-gelen-qeydiyyatsiz-qrantlar-azerbaycanda-nece-realize-edilir-arasdirma/>;

November 21, 2023: US Updates Subversive Technologies, Builds Compact, Agile Squads - INVESTIGATION

<https://report.az/analitika/abs-texribat-texnologiyalarini-yenileyir-yigcam-cevik-desteler-formalasdirlir/>;

November 23, 2023: Treacherous plans of US institutions... This time NGOs and mass media were "controlled" by feminists... [https://www.yeniazərbaycan.com/Siyaset\\_e93500\\_az.html](https://www.yeniazərbaycan.com/Siyaset_e93500_az.html);

A huge escalation of arrests took place in November 2023.<sup>21</sup> First, the pro-government media shared smear articles targeting nearly all leading human rights NGOs and media outlets. Later, at the end of November 2023, arrests of members of independent media outlet AbzasMedia began. In AbzasMedia case, police authorities arrested entire editorial team of AbzasMedia, including at least 6 journalists working with AbzasMedia with smuggling charges.<sup>22</sup>

Authorities have further extended their criminal investigation beyond the AbzasMedia, leading to the arrest of Kanal 13 journalists Aziz Orujov and Shamo Eminov on 27 November over allegations related to foreign donor money.<sup>23</sup> Subsequently, on December 11, 2023, another Azerbaijani journalist, Teymur Karimov, was arrested on charges of extortion by threat (Article 182 of the Criminal Code).<sup>24</sup>

On December 14, 2023, Police arrested Yagublu, 62, a former journalist who is an outspoken critic of the government and a prominent opposition leader.<sup>25</sup>

Investigative journalist Hafiz Babali was detained on December 13. He was charged with article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance). All arrested journalists ordered several months of pre-trial detention by the Khatai District Court.<sup>26</sup>

These arrests continued in early March 2024 with a police raid against the Institute for Democratic Initiatives (NGO), Toplum TV (Media), and the Third Republic Platform (political organisation), and the arrests of their representatives.<sup>27</sup> Total 8 people from Toplum TV, IDI and III Republic were charged with the smuggling allegations. Baku District court have chosen four months pre-trial measure of arrest about the 6 of them between 6-8 March 2024.

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<sup>21</sup> Statement of Civil Society on Media Freedom and Human Rights Violations — Abzasmedia Case, November 23, 2023, <https://medium.com/@journalistresistance/medi%CC%87a-azadli%C4%9Fi-v%C9%99-i%CC%87nsan-h%C3%BCquqlari-pozuntularina-dai%CC%87r-v%C9%99t%C9%99nda%C5%9F-c%C9%99mi%CC%87yy%C9%99ti%CC%87ni%CC%87n-b%C9%99yanati-abzasmedi%CC%87-391110dba311>

<sup>22</sup> Those arrested include the director of Abzas Media, Ulvi Hasanli; chief editor Sevijn Vagifgyzy; journalists Nargiz Absalamova and Elnara Gasimova; contributor Mahammad Kekalov; the founder of Kanal 13, Aziz Orujov; and its host, Rufat Muradli.

<sup>23</sup> Committee to Protect Journalists: Azerbaijani authorities charge Kanal 13 journalists Aziz Orujov and Shamo Eminov over alleged foreign donor money, order channel blocked, January 8, 2024, <https://cpj.org/2024/01/azerbaijani-authorities-charge-kanal-13-journalists-aziz-orujov-and-shamo-eminov-over-alleged-foreign-donor-money-order-channel-blocked/>

<sup>24</sup> Amnesty International: "Azerbaijan: Authorities intensifying crackdown on independent media", December 12, 2023, <https://www.amnesty.org/en/latest/news/2023/12/azerbaijan-authorities-intensifying-crackdown-on-independent-media/>

<sup>25</sup> Human Rights Watch, Azerbaijan: Prominent Opposition Figure Arrested, Tofiq Yagublu Is Latest Government Critic Targeted, December 19, 2023, <https://www.hrw.org/news/2023/12/19/azerbaijan-prominent-opposition-figure-arrested>

<sup>26</sup> <https://cpj.org/2023/12/azerbaijani-journalist-hafiz-babali-latest-arrest-in-abzas-media-crackdown/>

<sup>27</sup> Committee to Protect Journalists, Azerbaijani police raid Toplum TV, detain journalists over alleged currency smuggling, March 11, 2024, <https://cpj.org/2024/03/azerbaijani-police-raid-toplum-tv-detain-journalists-over-alleged-currency-smuggling/>

On April 22, 2024 Imran Aliyev, the head of the Meclis.info portal that monitors the parliamentary activities, was arrested.<sup>28</sup>

The pre-trial detention period of the journalists and human rights defenders arrested in connection with the AbzasMedia<sup>29</sup> and ToplumTV<sup>30</sup> cases were extended for another 4 and 3 months in June and July respectively. Those arrested in these cases appealed to the European Court of Human Rights, as according to applicants' lawyers', domestic courts did not objectively and legally review the lack of features justifying their arrest.

## e) The State of Civil Society

The restrictions resulting from the addition of regressive provisions to NGO and Grant laws in 2013-2014 have not been alleviated. The restrictive nature of these laws has complicated the establishment, independent operation, and public initiatives of civil society organizations (CSOs), as well as their funding through national and foreign donors. Alongside legal norms, since 2013, political repression and smear campaigns against civil society activists have led to the dissolution of independent civil groups, their transition under governmental political control, loss of institutional capabilities, and migration. Ahead of the snap parliamentary elections, Imran Aliyev, the head of the "Majlis.info" platform, created to ensure public oversight over the Parliament, and Anar Mammadli, the head of the Election Monitoring and Democracy Studies Center, were arrested. Founders and members of numerous initiative groups have been forced to leave the country due to pressures. According to unofficial information, over 100 activists have been banned from leaving the country.

Activists are subjected to preventative discussions by law enforcement officials, facing pressures and being coerced into collaboration. They are threatened with arrest or pressure on their relatives if they refuse. They have been warned against receiving financial support from Western sources. Subsequently, on June 24, Tural Aliyev, head of the NGO sector at the NGO and Communication Department of the Azerbaijani Presidential Administration, announced that funding for NGOs based on service contracts would be prevented. On July 29, the Cabinet of Ministers amended the "Rules for Registration of Contracts for Provision of Services or Performance of Work by Non-Governmental Organizations, and Branches or Representative Offices of Foreign Non-Governmental Organizations Funded by Foreign Financial Sources," approved by a decision dated October 21, 2015. According to the decision, from now on, the Ministry of Justice will investigate whether NGOs, along with the Ministry of Finance, have submitted their annual financial reports when registering contracts.

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<sup>28</sup> Committee to Protect Journalists, Azerbaijan arrests 13th journalist over alleged international donor funding, April 22, 2024, <https://cpj.org/2024/04/azerbaijan-arrests-13th-journalist-over-alleged-international-donor-funding/>

<sup>29</sup> Jamnews, Abzas Media staff in Azerbaijan face extended detention, 12.06.2024, <https://jam-news.net/abzas-media-staff-in-azerbaijan-face-extended-detention-editor-reports-mistreatment/>

<sup>30</sup> The detention term of another person detained in connection with the "Toplum TV" case has been extended - UPDATE, July 4, 2024, <https://report.az/daxili-siyaset/toplum-tv-isi-uzre-saxlanilan-sekslerin-hebs-muddeti-uzadilib/>

As a result of total political control measures over civil society, open public discussions have been restricted in both the regions and Baku. Only government-aligned NGOs (GONGOs) and public groups are provided with opportunities for free activity in the regions and Baku, systematically continuing the political discrimination against independent civil society organizations (CSOs).

### **III. OBSERVATIONS ON THE RESULTS OF THE CANDIDATE NOMINATION AND REGISTRATION STAGE**

**A**ccording to the CEC's schedule, the nomination of candidates began on July 1 and continued until August 2.

It should be noted that in connection with the snap parliamentary elections, the candidacy of 1,508 individuals was put forward. Of those, 1,462 candidates were confirmed, and 1,420 were issued signature sheets. Out of these, 1,197 candidates filled out and returned their signature sheets. Among them, 459 were representatives of 25 political parties, and 305 of these were registered. Ultimately, the candidacy of 1,030 individuals was officially registered for the parliamentary elections.

Despite limited opportunities, political party members and independent candidates faced pressure. Some candidates' nominations were not registered on false grounds.

#### **Some Facts on Long-Term Observation:**

- a) In the 119th Aghdam Rural Electoral District, the candidacy of well-known journalist Elkhan Shahinoglu was not registered. Although he collected more than the required number of signatures (a total of 500) and submitted them to the election commission, he was informed at the last hour of the 7-day period designated for verifying signatures that a significant portion of the signatures was deemed fraudulent. Shahinoglu posted on his Facebook account calling on the Aghdam District Executive Power to stop the pressures on him, his relatives, and those who participated in the signature collection and announced his withdrawal from the election.
- b) After the election process began, the location of the 97th Terter-Aghdara-Goranboy electoral district was altered. As a result, the signatures collected by the candidate were claimed to fall under a different electoral district, leading to the rejection of their registration.
- c) Independent candidate Nariman Ismayilov, who ran from the 25th Nizami Second Electoral District, collected 500 signatures, but the District Election Commission declared 131 signatures "fraudulent" and refused to register him. According to Ismayilov, the decision was biased and intended to deliberately exclude him from the election.

- d) Independent candidate Fikrat Jafarli, who ran from the 32nd Surakhani Third Electoral District, was not registered. According to Jafarli, the decision not to register him was directed by the Central Election Commission.
- e) Osman Kazimov, a candidate nominated by the Musavat Party from the 84th Füzuli electoral district, wrote on his social media account that identity cards were collected from citizens, and fake signatures were gathered.
- f) The candidacy of Zohrab Amrahov, who was nominated by the Musavat Party and submitted voter signatures and the required documents to the District Election Commissions (DECs) from the 57th Khachmaz city electoral district, was not registered.
- g) The District Election Commission did not register the candidacy of Ikram Israfil, who was nominated by the Musavat Party from the 48th Absheron First electoral district.
- h) Dunyakhanim Jarullayeva, a candidate nominated by the Musavat Party from the 89th Ismayilli electoral district, was not registered due to various pretexts.
- i) The candidacy of Alish Mehdi, a functionary of the Azerbaijan Democracy and Welfare Movement, who ran from the 25th Nizami Second electoral district, was rejected.

#### **IV. RESULTS AND RECOMMENDATIONS**

1. EPDE, after analyzing observations of the pre-election public-political situation and the campaign phase for the extraordinary parliamentary elections scheduled for September 1, 2024, has arrived at the following conclusions:
  - a) Ahead of the snap parliamentary elections, the crisis in defending political freedoms in the country has deepened. Restrictions on freedom of expression, freedom of assembly, and freedom of association remain unresolved, and the number of politically motivated arrests has increased further;
  - b) Since the 2020 parliamentary and 2024 presidential elections, recommendations from local and international election monitoring organizations for improving electoral practices have not been implemented;
  - c) Decisions by the European Court of Human Rights regarding politically motivated arrests, the right to a fair trial, and violations of electoral rights have not been implemented, despite persistent demands from the Council of Europe's Committee of Ministers;
  - d) The recommendations from experts of the Council of Europe's Venice Commission and the OSCE Office for Democratic Institutions and Human Rights have not led to improvements in the Election Code, the law on NGOs, the law on media, and the law on political parties;

- e) Over the past period, political stagnation in the country has deepened, the number of political parties has halved, and there have been increased restrictions on the activities of independent civil society organizations and independent media, as well as intensified persecution of journalists and public activists. A significant number of journalists and civil society activists have been imprisoned. As a result, there has been no conducive democratic environment for active participation of civil society organizations and political parties in the snap parliamentary elections on September 1;
  - f) The registration of local election observers has been conducted based on outdated mechanisms, which has not facilitated effective public oversight of the election process.
2. EPDE recommends the following for the proper organization of the next phase of the September 1, 2024 parliamentary elections— the campaign process—in accordance with legal standards:
- a) Violations occurring during the signature collection campaign should be thoroughly investigated and those responsible should be punished.
  - b) The Central Election Commission should promptly investigate candidates' complaints and make appropriate decisions.
  - c) Election commissions should ensure that appropriate conditions are provided to prevent any pressure on voters, observers, and candidates' representatives.
  - d) Efforts should be made to study and address legal violations occurring during the pre-election campaigning process.