



**Committee on the Honouring of Obligations and Commitments
by Member States of the Council of Europe (Monitoring Committee)**

PACE Rapporteurs: issues of serious concern persist in Azerbaijan despite some steps taken to meet Council of Europe commitments

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Following their visit to Azerbaijan on 3-7 June 2023 to further assess the honouring of its obligations and commitments to the Council of Europe, since the adoption of Parliamentary Assembly of the Council of Europe (PACE) [Resolution 2184 \(2017\)](#), Ian Liddell-Grainger (United Kingdom, EC/DA) and Lise Christoffersen (Norway, SOC), PACE co-rapporteurs for the monitoring of Azerbaijan, have made the following statement:

“During our visit, we addressed a number of concerns with regard to pluralist democracy, the rule of law, and human rights, as pointed out in Assembly Resolution 2184 (2017).

As regards pluralist democracy, we take note with interest of the plan to move from majoritarian to proportional system in the Parliament. However, we remain concerned about the Law on political parties of 16 December 2022, which might have a chilling effect on pluralism in the country. Therefore, we call on the authorities to further reform their electoral system, in line with the recommendations of the European Commission for Democracy through Law (Venice Commission) and the OSCE/ODIHR of 13 March 2023.

Regarding respect for the rule of law, we take note of the various steps taken by the authorities to combat corruption, but we stress that this issue has to be tackled at each level of the State, in line with the recommendations of the Group of States against Corruption (GRECO). Referring to concerns about independence of the judiciary, we note with satisfaction the fact that the Parliament is now examining a draft law, which aims at reforming the Judicial Legal Council, in particular by taking into account the Council of Europe bodies’ recommendations concerning its composition.

As regards the human rights situation, we welcome the efforts made by the Human Rights Commissioner (Ombudsman) to protect individuals’ rights, as well as the forthcoming reform aimed at expanding the remit of this institution.

Nevertheless, there are many issues of serious concern. We remain worried about the restrictions on the right to freedom of expression and in particular the impact on the situation of media, journalists and bloggers of the Law on Media of 30 December 2021, which imposes a number of registration requirements. We call on the authorities to amend it without delay, in line with the Venice Commission opinion of 20 June 2022, so that media can continue to fulfil their role of a ‘public watchdog’.

We are also concerned about the ongoing restrictions on the right to freedom of association and assembly and the overall situation of NGOs, which continue to operate in a very restrictive environment. We recall that the Assembly has already voiced serious concerns about the continuing presence of prisoners detained on politically motivated charges (see [Resolution 2322 \(2020\)](#) on “Reported Cases of political prisoners in Azerbaijan”) and that, in recent years, the European Court of Human Rights has issued a large number of judgments finding violations of the European Convention on Human Rights arising from the arbitrary arrest and detention of opposition politicians, civil society activists, human rights defenders and critical journalists. We remain concerned about this issue and will continue to closely scrutinise it.

Although we take note of the efforts made by the authorities to comply with the standards stemming from the European Convention on Human Rights, we renew our call on them to fully and rapidly implement the judgments of the European Court of Human Rights, in line with the latest [PACE Resolution 2494 \(2023\)](#) on this subject.

As regards issues related to the conflict over Nagorno-Karabakh, we welcome the recent progress made by Azerbaijan and Armenia to reach a peace agreement and urge both governments to intensify their bilateral negotiations in this respect. We applaud the Azerbaijani authorities' efforts to demine the region in and around Nagorno-Karabakh and to reconstruct all destroyed infrastructures in this area, bearing in mind that these processes might take a considerable amount of time.

As regards the situation in the Lachin corridor, we renew our call for freedom of movement to be ensured, in line with our previous statements (see in particular our [statement of 26 April 2023](#)), the decision of the European Court of Human Rights of 21 December 2022 under Rule 39 of the Rules of Court, and the order made by the International Court of Justice (ICJ) on 22 February 2023. We also express hope that the Russian Federation peacekeeping forces will leave the area by November 2025 at the latest.

We are satisfied with the dialogue conducted with the authorities and the latter's willingness to provide us with information on the issues at stake. We will assess the overall situation in the country in our forthcoming report.

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During their visit to Baku, the co-rapporteurs met with the Ministers of Foreign Affairs, Internal Affairs, Justice, the Vice-President of the Supreme Court, the Prosecutor General and the Ombudsman, the heads of the political parties represented in the Parliament and the Azerbaijani delegation to PACE. They also met with representatives of the Bar Association, civil society, the extra-parliamentary opposition and the relatives of some "political prisoners". They also visited the town of Aghdam.

The co-rapporteurs also requested an authorisation to visit a few persons allegedly detained on politically motivated charges but this was not granted.