“Europe and Azerbaijan: The End of Shame” by Gerald Knaus
Journal of Democracy 26 (July 2015)

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At this meeting, Barroso told journalists that he recognized “the tremendous progress achieved,” and was “glad that Azerbaijan is committed to political reform, democracy and the rule of law.”


German chancellor Angela Merkel told him that Azerbaijan was “an increasingly important partner” and that, despite “differences of opinion” on the matter of democratic principles, “the most important thing is to keep the lines of communication with Azerbaijan open.”


“Azerbaijan is a member of the Council of Europe for more than 10 years. We are members of the European Court of Human Rights. And a priori, there cannot be political prisoners in our country.”


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“Last December [2013] there was a broad discussion with the Council of Europe about this issue and the resolution which was launched by some members of the Assembly with respect of the issue of political prisoners in Azerbaijan failed . . . That there are no political prisoners in Azerbaijan is also confirmed by one of the most important institutions of Europe and all the world.”


In August 2013, Amnesty International estimated that there were “at least 14 prisoners of conscience” in Azerbaijan.


In September 2013, Human Rights Watch warned that the regime in Baku was “arresting and imprisoning dozens of political activists on bogus charges.”


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“When world opinion is concentrated on one weak spot, it can sometimes succeed in making a government relent . . . Pressure of opinion a hundred years ago brought about the emancipation of the slaves.”

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Neither the U.S. president nor Soviet leaders could imagine “that a handful of men and women in Moscow—at the outset, the Helsinki Group had only eleven members—would seize on the human rights provisions of the Helsinki Accords and take them as a charter,” as Aryeh Neier put it in his history of the international human-rights movement.


In the end, the Helsinki human rights provisions “mattered because individuals and non-governmental organizations, first in the East and then in the West, insisted at home and abroad that states must be accountable to their international obligations.”


“It was not until the 1970s, with the emergence of dissident movements in Eastern Europe, that [human rights] entered common parlance. This is the period that historians need to scrutinize most intently—the moment when human rights triumphed as a set of beliefs and as a stimulus for new activities and institutions, particularly non-governmental organizations.”


Aryeh Neier, one of its founders, widened its focus also to “those indirectly responsible because of the support they provided to abusive governments.” Mobilizing against such “surrogate villains” was “often much easier and more effective than working against those who actually committed the abuses.”


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This convention was also to serve as an “early warning device by which a drift towards authoritarianism in any member state could be addressed by an independent trans-national tribunal through complaints brought by states against each other.”


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He said that, after having observed thirteen elections in seven countries, “this was the worst election fraud I saw.”


Already in January 2002, he warned Baku that if member states “do not follow the commitments and values, their membership in the Council is always at stake.”

PACE condemned the “excessive use of force” and warned that, absent progress, it might rethink Azerbaijan’s membership.


“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.”


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the quartet dutifully told the press that the vote “showed the willingness of the people of Azerbaijan to have greater stability and elements for further democratisation.”


A second rapporteur on Azerbaijan, Joseph Debono Grech of Malta, praised the country in October 2011 for having done a “great job” as a “young” democracy.

Quoted in “European Rapporteur in Baku to Help, 'Not Preach,’’ News.az, 4 October 2011.

His only complaint involved the long-term observers from the OSCE’s Office of Democratic Institutions and Human Rights (ODIHR) and their finding that Azerbaijan lacked the conditions “necessary for a meaningful democratic election.”


In 2013, the British Conservative MP Robert Walter, leader of the PACE short-term election monitors, praised the country’s “free, fair and transparent” presidential election.

http://assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=4699&lang=2&cat=31

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At first, Azerbaijan tried to shift the Council’s focus, calling for the appointment of a “special rapporteur for a thorough investigation of the problem of political prisoners in Armenia.”

PACE, Motion for a resolution “The Problem of Political Prisoners in Europe and the Necessity to Investigate the Issue of Political Prisoners in Armenia,” Doc. 11898, 5 May 2009,

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Iwinski, the Polish apologist for the Azerbaijani regime, called defining what makes someone a political prisoner “tricky” and a “political” matter.

A majority of the PACE committee that had appointed Straesser in 2009—and had twice previously approved his definition of political prisoners—now voted that PACE had no authority “to assess violations of fundamental rights and freedoms.”


Robert Walter, the British Conservative, accused Straesser of “not visiting Azerbaijan” in preparation of the report. Slutsky added: “If the report is approved, then [Anders Bering] Breivik [the Norwegian mass murderer], those who deal in human organs and those who deal drugs to fund terrorism can all announce themselves to be political prisoners.” Irish Fianna Fáil politician Terry Leyden tried to change the subject: “Many of the countries represented here have pretty bad human-rights records. Let those without sin throw the first stone.”


Its head, Samad Seyidov, said flatly: “[T]he Council of Europe belongs to Azerbaijan.”


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Human Rights Watch called his arrest “a blatant and cynical act of political revenge.”


While foreign ministers from 47 Council of Europe member states were listening to him talk about his government’s support for “human rights, rule of law and democracy,” a court in Baku was sentencing eight young prodemocracy activists to jail terms of six to eight years each.


Instead, in a November 2014 Guardian article, Jagland described Azerbaijan as a “young democracy” that “needs help.” He wrote that the Council of Europe was “closely following several other trials against human rights defenders in Azerbaijan” and that “current legislation stifles” the activities of civil society.


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Samuel Moyn quoted the human-rights scholar Moses Moskowitz, who wrote in the early 1970s that the human-rights idea had “yet to arouse the curiosity of the intellectual, to stir the imagination of the social and political reformer and to evoke the emotional response of the moralist.”
Moyn added that “human rights as we understand them were born yesterday,” referring to the breakthrough of activism in the late 1970s.

And he cautioned: “Few things that are powerful today turn out on inspection to be longstanding and inevitable . . . this also means that human rights are not so much an inheritance to preserve as an invention to remake.”

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A 2015 paper by the Stiftung Wissenschaft und Politik (SWP) in Berlin, Germany’s top think tank, is all too typical. Three leading analysts from this prestigious institution suggest that “the precept of the inviolability of national territory should be broadened to include a political component: the incontestability of the internal political order.” This is a call to turn Europe’s back on the legacy of Sakharov and Havel. Western governments “would have to refrain from demanding and actively promoting democratic changes in the political systems of the countries of the post-Soviet region and adjust their conduct accordingly.” The SWP analysts go on to claim that “sober pragmatism in economic relations” would also “serve to stabilize energy relations and facilitate a fair balance of interests between the EU and Russia.”

As the late philosopher Richard Rorty put it in a 1993 lecture at Oxford, “the emergence of the human rights culture seems to owe nothing to increased moral knowledge, and everything to hearing sad and sentimental stories.”

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In the second quarter of the twentieth century, slavery returned to the European continent in a way “that had not been seen in Europe since the time of the Roman Empire.”

In a March 2015 speech, Ilham Aliyev explained that international treaties are “only a piece of paper that aren’t worth anything . . . We see it and everyone else can see it too. We see this throughout the world—might is right.”
Ilham Aliyev, Speech of President of the Republic of Azerbaijan Ilham Aliyev, “In today's world, international law does not work, while international treaties are only a piece of paper that aren’t worth anything.” 19 March 2015, http://en.president.az/articles/14598.