



ALBER & GEIGER
Advocacy in Legislation

PROMOTING HUMAN RIGHTS OUTSIDE THE EU

How we restore client reputation



HOW WE RESTORE CLIENT REPUTATION

ALBER & GEIGER'S LOBBYING EFFORT SECURES THE RELEASE OF POLITICAL PRISONERS IN AZERBAIJAN

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They helped us through a sensitive period navigating the political landscape in Europe.

– Farhad Aliyev,
Former Minister of Economic Development,
Republic of Azerbaijan

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On October 14, 2013, the Azerbaijani President, Ilham Aliyev, signed a pardon decree to free around 134 prisoners. Among them, Farhad and Rafiq Aliyev were also finally released from prison, following an intensive lobbying campaign in Brussels and Washington DC. The European Commission and US government welcomed the pardon decree and “were encouraged by the release of Farhad and Rafiq Aliyev” while at the same time “urging the Azerbaijani authorities to free more activists and journalists”. Alber & Geiger was central to their pardon and release. By combining our political and legal expertise, we reinvigorated the campaign. Clear, innovative and tailored messages were sent across several jurisdictions to key players. Good management and immaculate coordination ensured the success that culminated with their release from prison.

THE CHALLENGE

Farhad Aliyev, the Former Minister of Economic Development in Azerbaijan, and his brother Rafiq Aliyev, the former CEO of Azpetrol, were arrested and detained on the eve of parliamentary elections in October 2005, on charges of attempting a coup d'état. They were sentenced to 10 years in prison.

The European Court of Human Rights (ECHR) ruled that their arrests were illegal. Farhad and Rafiq Aliyev were denied rights of due process, a fair trial, adequate medical care and proper legal counsel. European and international institutions, including the Parliamentary Assembly of the Council of Europe (PACE), as well as renowned human rights groups, such as Human Rights Watch (HRW), identified injustices in their cases. International recognition of the matter and the ECHR judgments did not ensure the hoped outcome. Farhad and Rafiq Aliyev remained imprisoned in Azerbaijan. Azerbaijani authorities were not willing to comply with the ECHR judgments and ignored calls for their release. Through a variety of channels and tactics, they kept refusing that Farhad and Rafiq Aliyev were political



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prisoners. Instead, Azerbaijani authorities repeated the charges of embezzlement and corruption.

Was there an additional hurdle? Europe needed to negotiate with Azerbaijan on energy. Azerbaijan was fundamental to end Europe's over-reliance on Russian energy. With the EU political climate eager to deal with Azerbaijan, it was easy to close an eye on human rights. It also made sense to lay low on a matter that was so closely connected with the government. Our client's pleas could have been ignored or moved down the agenda since it was not a clear-cut case of political prisoners and a matter that had received attention in the past. With the odds stacked against Farhad and Rafiq Aliyev, Alber & Geiger went to work planning and executing a campaign that put the focus on making the case for Farhad and Rafiq Aliyev, among numerous and competing interests and considerations. This helped secure what initially seemed impossible.

THE MESSAGE

Alber & Geiger was mandated to help them formally organize and raise the visibility of their matter in a more substantive and sustained effort before the EU institutions and Member States governments. The ultimate objective was, of course, their release from prison.

Our message was aimed at dealing with all the concerns and competing interests. Alber & Geiger focused on restoring the image of Farhad and Rafiq Aliyev. It highlighted Farhad's record in government, particularly the reforms he undertook to bring Azerbaijan closer to Western democracy. Similarly, we shed light on Rafiq's achievements as a businessman in Azerbaijan. It also focused on making Farhad and Rafiq classic cases of political prisoners. Any concerns about corruption and embezzlement were mitigated. Additionally, it clearly shed light on all the human rights violations against Farhad and Rafiq Aliyev. And, finally, it called for the release of Farhad and Rafiq Aliyev based on the existing cooperation mechanisms.



STRATEGY

Our strategy exposed the role that Farhad's pro-Western values played in his imprisonment. We turned Farhad and Rafiq Aliyev into emblematic cases of political prisoners in Azerbaijan. Several messages were delivered in a timely and efficient manner making the legal and political case for their release. The messages were tailored and adapted according to the context on which they were delivered.

Armed with the compelling facts and arguments, Alber & Geiger crafted a highly targeting advocacy campaign to inform and shape the opinions of key decision-makers in Brussels and Strasbourg. That effort was reinforced and amplified by going after the individual Member States, international specialised NGOs and various media outlets.

Alber & Geiger's approach, understanding of the EU cooperation with Azerbaijan and legal expertise made an unlikely shift that ultimately put the focus on our clients and the spotlight on Azerbaijan's human rights record.

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THE EFFECT

Our political lobbying on behalf of Farhad and Rafig Aliyev secured their release. Our messages on the evidence, reputation of the clients and the responsibility of the EU and Council of Europe to make their case emblematic and demand their release during the negotiations with Azerbaijan, reached all the important decision-makers. Many Members of the European Parliament raised concern about their imprisonment, highlighted Farhad's record in government and urged the European Commission to call for their release.

The campaign did more than just secure the release of Farhad and Rafig Aliyev from prison. It also helped restore their image before the EU institutions and facilitate their return to the business undertakings.

SUCCESS

Farhad and Rafig Aliyev were released from prison on October 14, 2013. This was done through the prominent placement of their cases at the centre of the human rights discussions and bilateral negotiations, as well as the preparation and distribution of several policy papers. Alber & Geiger arranged for numerous parliamentary questions across the political spectrum addressed to the EU executive on the cases of Farhad and Rafig Aliyev. The President of the European Parliament wrote an appeal letter to the Azerbaijani President calling for the release of Farhad and Rafig Aliyev. And finally, the European Parliament passed a resolution "on the human rights situation in Azerbaijan", which included Farhad and Rafig Aliyev as prominent cases.

It was our team's unique combination of sound legal arguments and political lobbying that enabled us to achieve the desired result for Farhad and Rafig Aliyev. After our relentless lobbying work, the Aliyev brothers were both released. In Mr Farhad Aliyev's words, „Alber & Geiger helped us through a sensitive period navigating the political landscape in Europe”.