

AZƏRBAYCAN RESPUBLİKASININ
ATƏT YANINDA
DAİMİ NÜMAYƏNDƏLİYİ



PERMANENT MISSION ENGLISH only
OF THE REPUBLIC OF AZERBAIJAN
TO THE OSCE

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Statement at the 918th meeting of the Permanent Council June 21, 2012

In response to the regular report of RFoM to PC

Mr. Chairperson,

We would like to join previous speakers in welcoming Ms. Mijatović back to the Permanent Council. We took note of the regular report submitted to the Permanent Council.

This report as previous ones gives broad overview of the activities of the Representative for Freedom of Media since her last appearance in PC in March 2012 and provides assessment of situation of freedom of media in the wide OSCE region.

When it comes to the situation of freedom of media in Azerbaijan our Delegation will circulate information on the recent activities which have been carried out by the Government of the Republic of Azerbaijan aimed at strengthening financial-technical capacities of media outlets, providing for safety and free activities of journalists and overall guaranteeing freedom of expression as acknowledged in the Constitution and other relevant legislation of our country.

“The State Concept on the support to media in the Republic of Azerbaijan” was approved by the President of the Republic of Azerbaijan in 2008. The main objectives include developing freedom of information and expression in the country, to support independence of media outlets, to improve assistance mechanism to media outlets, to increase professionalism and responsibility of journalists, to strengthen social protection of journalists and etc. The State Fund on the support to media in the Republic of Azerbaijan was established by the President in 2009. More than 10 million euros have been allocated to fulfill objectives of the State Concept, as well as media projects.

Azerbaijan has been actively cooperating with international partners, including the OSCE, the Council of Europe and the European Union through implementing programmes on access to information by journalists, provide safety of journalists, to increase professionalism of journalists and so on.

Since 2009 journalists have not been criminally charged for defamation. The National Program of Action on raising effectiveness of protection of human rights and fundamental freedoms in Azerbaijan envisages a separate provision on adoption of the Law on Defamation by the end of 2012.

As for the references made to specific cases in Azerbaijan by the Delegation of Denmark on behalf of the European Union, we suggest the EU to look at a broad number of problems existing in most of OSCE participating States, including in the EU countries. Singling out Azerbaijan is selective and biased approach and would not serve any purpose.

I wish to underline that the persons mentioned in specific cases related to Azerbaijan in the report, have not been prosecuted for their professional journalistic activities. Quite opposite, criminal cases have been launched against these persons under the relevant legislation, including the Criminal Code of the Republic of Azerbaijan.

Case of Idrak Abbasov - According to the findings of the Special Commission established by the State Oil Company of the Republic of Azerbaijan (SOCAR) to investigate the mentioned incident, the representatives of the Security Department, whom I.Abbasov had suspected, were invited to the General Office of SOCAR and they were inquired in accordance relevant legislative procedures. It was detected that indeed there was an incident among them and I.Abbasov, his close relatives and inhabitants of Sulutapa settlement. As a result of this incident both Security Department representatives and I.Abbasov had been injured. According to the explanation of Security Department representatives the incident was as following: I.Abbasov swore, insulted them and used provocative expressions to call the inhabitants to the incident, later his brother and several other people came and joined the incident. Some inhabitants threw stones and other things to the Security Department representatives. Security Department representatives could not remember who exactly beat I.Abbasov, because they were both fighting and defending themselves at that moment.

The Commission also found out that I.Abbasov, his father and brother had illegal buildings in that area. According to the explanation of workers I.Abbasov's desire to regularly record in that area were based on his personal interests, rather than to carry out journalist responsibilities. Thus, several times before the incident he had been in Sulutapa area for his personal interests and provoked inhabitants to the conflict.

In order to ensure more objective, fair, comprehensive investigation the State Oil Company presented the relevant law-enforcement bodies with all gathered information by the Commission. The criminal case on the incident has been launched and an investigation is currently conducted by the Ministry of Internal Affairs of the Republic of Azerbaijan. Following the investigation, relevant court will give its legal assessment to this case.

It should be particularly underlined that the demolition undertaken in Sulutapa settlement by State Oil Company of the Republic of Azerbaijan is in accordance with ensuring property rights on the territories which were given to SOCAR's permanent utilization and is in full compliance with the national legislation. On the other hand, to live in those areas is considered to be dangerous for the health and safety of the population. In this regard, these territories are not envisaged for living settlements by the relevant legislation.

Case of Mehman Huseynov - According to the Sabail district Court decision, Mr. Mehman Huseynov has been released from the custody and the criminal case launched against him is underway.

Adoption of amendments to the Laws on information- Amendments mentioned in the report are very relevant to our country's national interests in the political, economic and military fields. These amendments will serve for the interests of entrepreneurs and protect commercial structures from being blackmailed.

Our Delegation has previously provided information on the cases of Mr. Anar Bayramli, representatives of Khayal TV, Mr. Avaz Zeynalli and related to Ms. Khadija Ismayilova.

The Government of Azerbaijan is ready to continue cooperation with the Office of the Representative for Freedom of Media based on the mutual respect and dialogue. As a token of this close cooperation we are looking forward to implementation of joint projects which were initiated by the Government of Azerbaijan and will be financed by Azerbaijani side. Our authorities are ready to realize these projects this fall.

As the Delegation which advocates for the balance among and within 3 dimensions of our organization, I'd like to stress that regular reports of the Representative for the Freedom of Media to the PC according to our calculations take place 3 times during a year and once at the Human Dimension Implementation Meeting. It creates an imbalance in relation to other commitments, as well as with regard to relevant OSCE executive structures who present their reports once or twice during a year. We encourage the Chairmanship-in-Office to consider this issue more closely to ensure more balanced approach to OSCE's comprehensive concept of security.

In conclusion I wish Ms. Dunja Mijatović all the best in her future endeavours.

Thank you, Mr. Chairperson.