

# IRFS



**Institute for Reporter Freedom and Safety**

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## THE DETERIORATION OF FREEDOM OF EXPRESSION IN AZERBAIJAN

During the last year, the Freedom of Expression and Freedom of the Press situation in Azerbaijan has caught the attention of the local and international community. The persecution and arrest of journalists, countless trials and lack of partiality still leaves the media freedom in the list of unrealizable dreams of Azerbaijani society. Currently, there are 3 imprisoned journalists, 2 journalist on probation and dozens of journalists regularly threatened, attacked or persecuted. The number of murdered journalists within last two years is two.

### AZERBAIJANI JOURNALISTS; THE VICTIMS OF BEATINGS, THREATS, LAWSUITS AND FINES



**FIKRET HUSEYNLI**, a correspondent with Azadlig Newspaper, was kidnapped on the night of 5 March 2006, while visiting a suburb of Baku. His attackers tortured him, stabbed him in the throat and told him to stop writing articles critical of the government. Soon after this Huseynli went unconscious and was left for dead in the area of Baku's old bus terminal. Huseynli has made a full recovery, but his attackers were not identified. His life remains in danger until the people who tried to kill him are found and prosecuted.



**BAHADDIN HAZIYEV**, the editor-in-chief of Bizim Yol Newspaper, was kidnapped on the night of 18 May 2006, as he drove home from work. His attackers cut his car off, dragged him out of his vehicle, put a sack over his head and took him to an unknown location. There they beat and threatened him, and then in the wee-hours of the morning of May 19 drove him out the edge of a deserted lake, and tossed him out of their car, still with a sack over his head. As his attackers were driving away from the scene, they ran over Haziyevev's legs. Haziyevev sustained multiple fractures in his left leg, underwent emergency surgery, and to this day remains in a cast, unable to work. He fears for the safety of his family and coworkers, as his attackers

remain unidentified and still at large. His attackers told him, "If you do not stop writing critical articles about the government, we will kill your family."



**SAKIT ZAHIDOV**, a satiric/journalist for Azadlig Newspaper, was arrested on 23 June 2006, on a charge of possession of a large quantity of drugs with intent to sell. However, Zahidov, a father of five, has always maintained that the drugs were planted on him and that his arrest is politically motivated. He took a urine drug test that came back clean and prosecutors have been unable to present any evidence that Zahidov was involved in either selling or using drugs. The investigation has been plagued by numerous legal irregularities. Prior to Zahidov's arrest, a representative of Azerbaijan's ruling party publicly stated that Zahidov needed to be "silenced." At present, his trial continues. He has been in pretrial detention since the day of his arrest, despite calls by numerous

well-known organizations for his release, and is plagued by chronic heart problems.



**SHAHIN AGABEYLI**, the editor-in-chief of Milli Yol Newspaper, was detained by police on 10 August 2006, for failing to respond to numerous court summons. On the following day, four claims were considered against him in court back-to-back. He was found guilty in three of the cases, while a fourth case based on Interior Minister Ramil Usubov's accusations of "insult" and "libel" was postponed; the minister later retracted his claim. It needs to be noted that the articles on "insult" and "libel" are in Azerbaijan's Criminal Code, despite calls by numerous organizations to move these to the country's Civil Code and eliminate prison sentences for press offenses. Agabeyli is currently serving a one year prison sentence, but hopes that the Appeals Court will overturn his sentence.



**EYNULLA FATULLAYEV**, editor-in-chief of Realny Azerbaijan, was found guilty of committing “libel” and “insult” at the end of September on the basis of claims brought forth by Azerbaijan’s Interior Minister Ramil Usubov. Usubov’s charges stemmed from two articles published in July, in which Fatullayev claimed that Usubov was aware of a criminal gang being operated by the minister’s subordinates, and profited from the gang’s activities. The court ruled that Fatullayev must pay an 11,500 euro fine, while his paper must pay an additional 6,000 euros. Fatullayev will take this case to the Court of Appeals.

\*These are just some of the key cases; numerous other journalists, including Firket Faramezoglu, Sarvan Rizvanov, Iddrak Abbasov, Mustafa Hajibeyli and Genimet Zahidov also face lawsuits, threats and/or have been the subject of physical attacks in relation to their journalism work. In addition, during the run up to Azerbaijan’s November 2005 parliamentary elections, countless journalists were beaten and threatened. Some legal cases are still pending, but to this day absolutely no one has been held responsible for these senseless acts of violence and intimidation against journalists. Two journalists were murdered in 2005, Monitor Editor-in-Chief Elmar Huseynov was shot to death in the doorway to his apartment, and Yeni Musavat Photographer Alim Kazimli died in July of 2005, as the result of head injuries he suffered while being beaten in a police station.

## INTERNATIONAL COMMUNITY CONDEMNS SITUATION



Parliamentary Assembly of the Council of Europe (PACE) co-rapporteur on Azerbaijan Andres Herkel compared the situation in Azerbaijan with the situation in Belarus, and even more recently OSCE Representative on Media Freedom Miklos Haraszti wrote a letter to Azerbaijan President Ilham Aliyev calling on him to end criminal lawsuits against journalists and ensure transparent trials for journalists.

In addition, Reporters without Borders, Amnesty International, the Committee to Protect Journalists, Article 19, the Helsinki Citizens’ Assembly, International Press Institute, and other organizations, have all called on Azerbaijan’s government reform media legislation, find and prosecute those responsible for attacks on journalists and, in general, foster an environment where freedom of expression is valued, not undermined.



## WHAT THE OSCE, ODIHR AND PARTICIPANTS OF THE HUMAN DIMENSION IMPLEMENTATION MEETING IN WARSAW, POLAND NEED TO DO



Therefore, we appeal to you, the OSCE, ODIHR and participants of the Human Dimension Implementation Meeting in Warsaw, Poland. As leaders of the world’s political, business, culture and media sectors, we ask that during your interactions with Azerbaijan President Ilham Aliyev, you discuss the deterioration of freedom of expression in Azerbaijan, call for Azerbaijan’s government fulfill its international freedom of expression and human rights obligations (e.g. the European Convention on Political and Civil Rights, the Universal Declaration of Human Rights, etc.), and demand that the attack on independent journalists in Azerbaijan be ended.