



PRESS BRIEFING

For immediate release - 14 March 2008

AZERBAIJAN: PRESS FREEDOM UNDER ATTACK

ARTICLE 19 is deeply concerned with the steadily deteriorating situation of media freedom in Azerbaijan. In the last week alone, instances of abuses have included a physical attack against Agil Khalilov and the sentencing of journalist Qanimat Zahid (also known as Zakhidov) to four years imprisonment on questionable charges.

Physical Attacks: On March 13, at around 7:45 p.m. Agil Khalilov, a reporter of the *Azadlyq* newspaper, was attacked and stabbed in the chest as he was leaving *Azadlyq* office. Reportedly his injuries are serious but not life-threatening. The journalist is convinced that this attack is linked to his investigation on the involvement of public officials in illegal land transactions.

Agil Khalilov was the victim of another attack less than a month ago. On February 22, he was severely beaten and had his documents stolen while attempting to film an illegal land sale in Baku. Local residents who came to Khalilov's rescue reported to him that among the participants in the deal were local officials and ministry employees. The journalist reported the incident to the police; however as of March 14, no case had been opened.

Unfair trial: On March 7, a Baku Court sentenced Qanimat Zahid, editor-in-chief of the opposition newspaper *Azadlyq* (Freedom) to four years imprisonment for "hooliganism and causing damage to the health of a person". Vusal Hasanov, a former police officer arrested in connection with the same incident, was sentenced to 18 months imprisonment.

Zahid has been in pre-trial detention since 10 November 2007 on allegations that he insulted a woman in the street and assaulted another man (Hasanov) who intervened to protect the woman. The incident occurred on 7 November. Invited to testify as the victim of an attack on 10 November by the police, Zahid was instead arrested as a suspect.

On March 7, Zahid was sentenced in an unannounced and unscheduled court session. The date and time of the session was not publicly communicated in advance to his lawyers. The initial charges and the subsequent development of the case, in particular the manner of its handling by the judiciary, raise strong suspicions that criminal law is being used deliberately by government to pressure critical media. ARTICLE 19 is also deeply concerned that fair trials procedures have been ignored and that the severe penalty is disproportionate to the nature of the alleged crime.

Administrative Actions: ARTICLE 19 is further concerned of administrative actions against organisations which do business with opposition media. It was reported in January 2008 that the printing house which prints *Azadlyq* and other media critical of the Azerbaijani government, Chap Evi, was subjected to an unscheduled tax inspection, and reasons for the inspection were not provided.

Failure to investigate: Of further concern is the police and prosecutors' failure to investigate and bring to court cases involving violence toward journalists. Uzeir Dzhamalov, editor-in-chief of the newspaper *Gyundelik Azerbaijan*, was the target of an assassination attempt on April 20, 2007 and as of March 2008 no specific investigative measures had been taken in relation to his case.

In January 2008 Azerbaijan released and pardoned five out of nine journalists held in prison at that time. Despite this positive step, the general situation of freedom of expression in the country is indeed very troubling, particularly in a presidential election year, planned for October.

Azerbaijan is a signatory to the International Covenant on Civil and Political Rights (ICCPR) and the European Convention of Human Rights and Freedoms (ECHR). Both treaties guarantee the right of the individual to hold opinions and receive and impart information and ideas without interference by public authority. These obligations apply equally to ideas and information which challenge the *status quo* and may offend the government or certain sectors of society.

Under international law the use of criminal sanctions against defamation is permitted only in exceptional cases. Criticism of public officials does not fall within these cases. In a democratic society public officials are expected to tolerate a greater degree of criticism than the general public.

ARTICLE 19 calls on Azerbaijani authorities to:

- Abolish criminal provisions relating to defamation
- Pardon all journalists who have been convicted of defamation
- Ensure that prompt and effective investigation is undertaken in all cases of attacks and intimidations of journalists.
- Ensure that fair trial standards in all trials against journalists are respected and in particular that courts hearings are public.
- Ensure that tax and other inspections of media enterprises are not conducted selectively and arbitrary.

NOTES TO EDITORS:

- For more information: please contact Chris Burnett, Program Officer, chris@article19.org, +44 207278 9292
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.