

URGENT ACTION

INVESTIGATIVE REPORTER FACES HARASSMENT

Khadija Ismayilova – an outspoken investigative journalist in Azerbaijan – fears arrest after being harassed by the authorities and prevented from leaving the country. She has long been targeted by the authorities for her critical reporting and is currently facing criminal trial on politically motivated libel charges.

Khadija Ismayilova, a well-known investigative journalist and a Radio Free Europe reporter has been an outspoken government critic and has published several articles exposing corruption and human rights violations. On 12 October Khadija Ismayilova was prevented from leaving the country to attend an international conference on freedom and human rights issues in Prague, Czech Republic, as a result of a travel ban issued by the Prosecutor's Office, ostensibly because she is a witness in an ongoing criminal case. Prior to the travel ban, on 3 October she was searched and detained for four hours at Baku International Airport on her way back home from Strasbourg, France, where she had briefed members of the Parliamentary Assembly of the Council of Europe (PACE) on the deteriorating human rights situation in Azerbaijan.

Khadija Ismayilova is also standing a criminal trial for defamation. On 30 September a criminal case was launched against her by a private individual, who alleged that Khadija Ismayilova had defamed him by publishing a document which revealed informant. This came after Khadija Ismayilova had posted a document on the internet with information on the recruitment of informants by the Azerbaijani security services. Although she had erased all the names of individuals in the document to protect their privacy, the same document was also published by another user without erasing the names. Khadija Ismayilova denied any connection with the latter publication.

Amnesty International is concerned that the criminal case of defamation against Khadija Ismayilova is politically motivated and is yet another step in the continuing harassment and intimidation she has been facing due to her work on human rights issues in the country. Moreover, defamation should not be a criminal offence, but should be treated as a matter for civil litigation by the injured party. Plans to decriminalize defamation in 2012 were previously stated in the National Action Plan on Human Rights on 27 December 2011, but no action has yet been taken.

Please write immediately in Azeri, Russian, English or your own language:

- Urging the Azerbaijani authorities to ensure that pending the repeal of the criminal defamation law, Khadija Ismayilova's right to a fair trial is not prejudiced due to her human rights work challenging the authorities;
- Calling on the authorities to immediately lift the travel ban on Khadija Ismayilova and end all harassment and intimidation, to enable her to conduct her human rights work without any interference.

PLEASE SEND APPEALS BEFORE 26 NOVEMBER 2014 TO:

President

Ilham Aliyev
Office of the President of Azerbaijan
19 Istiqlaliyyat Street
Baku AZ1066, Azerbaijan
Fax: +994 12 492 0625
Email: office@pa.gov.az
Salutation: Dear President

Prosecutor General

Zakir Qaralov
7 Rafibeyli Street
Baku AZ1001, Azerbaijan
Fax: +994 12 492 0335
Email: info@prosecutor.gov.az;
z.qaralov@prosecutor.gov.az
Salutation: Dear Prosecutor General

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Please check with your section office if sending appeals after the above date.

**AMNESTY
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ADDITIONAL INFORMATION

Khadija Ismayilova has been investigating claims of links between President Ilham Aliyev's family and a lucrative construction project in Azerbaijan's capital Baku. On 7 March 2012 she received a letter containing pictures of her having sex – unknown individuals had apparently previously secretly entered her apartment and placed hidden cameras in her room. The pictures were accompanied by a note warning her that she would be “shamed” if she did not abandon her work. She refused and publicly exposed the blackmail attempt.

Amnesty International has longstanding concerns about the Azerbaijani authorities' failure to respect their international obligations to protect the right to freedom of expression. Dissenting voices in the country frequently face trumped-up criminal charges, physical assault, harassment, blackmail and other reprisals from the authorities and groups associated with them. During the last five months, Azerbaijani authorities have arrested six prominent human rights activists on trumped-up charges, including treason.

The UN Human Rights Committee has encouraged states to consider decriminalizing defamation and underlined that, in any case, the criminal law should only be used in the most serious of cases. It has underlined that defamation laws must be crafted with care to ensure that they comply with states' international human rights obligations and do not in practice stifle freedom of expression; a public interest in the subject matter of the criticism should be recognised as a defence, and states should take care to avoid excessively punitive penalties. Other bodies who have specifically called on Azerbaijan to do so include the United Nations Special Rapporteur on the right to freedom of opinion and expression and the Committee on the Elimination of Racial Discrimination. A number of states also recommended the same as part of Azerbaijan's Universal Periodic Review in 2009.

Amnesty International has recognized 23 people as prisoners of conscience in Azerbaijan, jailed solely for peacefully exercising their right to freedom of expression. For more information, see *Behind bars: Silencing dissent in Azerbaijan* (<http://www.amnesty.org/en/library/info/EUR55/004/2014/en>); *Azerbaijan: Another prominent human rights defender thrown behind the bars* (<http://www.amnesty.org/en/library/info/EUR55/010/2014/en>); UA 182/13 and updates (<http://www.amnesty.org/en/library/info/EUR55/012/2014/en>); UA 200/14 (<http://www.amnesty.org/en/library/info/EUR55/011/2014/en>); and UA 186/14 and updates (<http://www.amnesty.org/en/library/info/EUR55/013/2014/en>).

Name: Khadija Ismayilova

Gender m/f: female

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