

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## Azerbaijan: Five journalists released

Amnesty International welcomes the release of five journalists in Azerbaijan, following official pardons issued by President Ilham Aliyev on 28 December 2007. However, the organization remains concerned about the continued imprisonment of other opposition or independent journalists in Azerbaijan on questionable charges including defamation, use of illegal drugs and 'hooliganism'. The Azerbaijani authorities can further demonstrate their commitment to freedom of expression by immediately releasing other journalists remaining behind bars. This is also an opportunity to decriminalize defamation, a charge frequently brought by government officials against journalists reporting on abuse of office and corruption.

Three of the five released journalists, Rovsan Kebirli, Yasar Agazade and Faramaz Novruzoglu, were imprisoned during 2007 on charges of defamation after publishing articles about high-ranking political figures or alleging corruption in public office. The remaining two, Rafiq Tagi and editor Samir Sədəqətoglu were sentenced in May to three and four years' imprisonment respectively for incitement of religious hatred after writing and publishing an article critical of Islam in the *Sənət* (Art) newspaper. Rafiq Tagi and Samir Sədəqətoglu were considered by Amnesty International to be prisoners of conscience; the organization further calls upon the Azerbaijani authorities to ensure these journalists' security following the issuing of a fatwa demanding their murder by Iranian ayatollah Fazel Lankarani.

Several other opposition or independent journalists imprisoned on questionable charges and/or after unfair trials remain in detention. Amnesty International calls upon the Azerbaijani authorities to follow up their release of five journalists with the immediate and unconditional release of prisoner of conscience Eynulla Fətullayev. Tried twice in 2007 on charges of defamation, terrorism, incitement of ethnic hatred and tax evasion, Eynulla Fətullayev faces 11 years' imprisonment. Both of the newspapers he edited, *Realny Azerbaydzhan* (Real Azerbaijan) and *Gündelik Azərbaycan* (Azerbaijan Daily) closed in May under pressure from the authorities.

The brothers Sakit Zahidov and Qənimət Zahid, satirist and editor-in-chief respectively of the opposition newspaper *Azadlıq* (Freedom) also remain in detention. Sakit Zahidov was sentenced on 4 October 2006 to three years' imprisonment on charges of illegal drug use which he and Azerbaijani human rights activists say are false. There were serious flaws in the medical evidence presented at his trial in support of his conviction and his trial failed to comply with international fair trial standards. Amnesty International has called for his immediate re-trial in compliance with fair trial standards or release. Qənimət Zahid was arrested on 10 November on charges of 'hooliganism', and is currently being held in pre-trial detention. It is alleged that he assaulted two passers-by outside the offices of the newspaper on 7 November, a charge inviting scepticism from both domestic and international human rights organizations. Amnesty International calls for a prompt investigation of his case, and if Qənimət Zahid is found to have been the victim of a set-up, he must be compensated and those responsible brought to justice.

The release of five imprisoned journalists is one step towards improving conditions for the exercise of the right to freedom of expression. This right will only be fully guaranteed when citizens can access a full range of views across a wide variety of media outlets and journalists can write without fear. As the guarantor of the Azerbaijani Constitution, which provides for the right to freedom of expression, and as State party to numerous international human rights

instruments similarly guaranteeing this right, it is the responsibility of the Azerbaijani government to ensure such conditions. Amnesty International calls upon the Azerbaijani authorities to take the further necessary steps towards fulfilling this responsibility.

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