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## **Imprisoned Azerbaijani journalist faces new jail term**

Amnesty International has condemned the sentencing of imprisoned Azerbaijani journalist Eynulla Fatullayev to two and a half years' for possession of drugs, charges the organisation believes to have been fabricated.

A Baku court passed the new sentence on Eynulla Fatullayev on Tuesday in what Amnesty International believes is the latest attempt to silence his reporting, which has been critical of the government.

The journalist is already serving an eight and a half year prison sentence on trumped up charges of terrorism, defamation, incitement to racial hatred and tax evasion, charges which the European Court of Human Rights quashed earlier this year.

"The Azerbaijani authorities have demonstrated that they are prepared to go to any lengths to keep critical voices silent," said Andrea Huber, Deputy Programme Director for Amnesty International's Europe and Central Asia Programme.

"Eynulla Fatullayev must be immediately released and the fabricated charges against him dropped."

The court ordered him to start serving the new sentence from the day it was announced not taking into account the days that he spent in the investigative detention facility pending the trial.

Isakhan Ashurov, Eynulla Fatullayev's lawyer, told Amnesty International that this means that the actual sentence therefore is three years and seven days and exceeds the maximum penalty possible under the Article of the Criminal Code that Eynulla Fatullayev was convicted of.

Eynulla Fatullayev's lawyer told Amnesty International that the judicial process was unfair, with violations at every stage of the process including contradictory testimonies by prosecution witnesses and procedural irregularities in the conduct of the search in which drugs were allegedly found on Eynulla Fatullayev by prison guards.

It also relied largely on a blood test conducted by a state-controlled facility.

Earlier this year, the European Court of Human Rights ruled that Eynulla Fatullayev's convictions in his previous 2007 trial violated his rights to free expression, that he had been unfairly tried and that there was "no justification for the imposition of a prison sentence".

Presenting a report on human rights in Azerbaijan, released on 29 June, Thomas Hammarberg, the Council of Europe's Commissioner for Human Rights, said that "freedom of expression is curtailed in Azerbaijan today

- major improvements are needed.”

He also said that “anyone imprisoned because of views or opinions expressed, including Eynulla Fatullayev... should be released immediately”.

The European Court of Human Rights’ ruling becomes final on 22 July if it is not reviewed by the European Court’s Grand Chamber.

“The Council of Europe must take action if Eynulla Fatullayev is not released by 23 July,” Andrea Huber said.

“Azerbaijan cannot be allowed to breach the European Convention on Human Rights at will and with impunity.”

**See also:**

[Azerbaijan: Azerbaijan urged to comply with decision of European Court on case of imprisoned journalist and to drop new charges against him: Joint Statement by Amnesty International, ARTICLE 19 and International PEN](#), 14 May 2010