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AZERBAIJAN: UP TO SIX YEARS' IMPRISONMENT FOR "INSULTING THE PRESIDENT"

Four journalists due to stand trial in Azerbaijan on 22 June for "insulting the president" should be immediately released, Amnesty International said today.

The four men -- together with three others not currently detained -- face up to six years' imprisonment on a charge of producing and distributing issues of a satirical newspaper which "insulted the honour and dignity of the President of Azerbaijan."

Amnesty International is concerned that this prosecution violates the right of the accused to freedom of expression, and regards the four journalists imprisoned as prisoners of conscience.

The case against the men has been brought in connection with a number of articles and caricatures about current Azerbaijani President Heydar Aliyev, which appeared in issues 28 and 29 of Cheshme (Spring), a newspaper devoted to political satire. The defendants are variously accused of writing, publishing and distributing material which insults the honour and dignity of the President, under Article 188-6, part two, of the Azerbaijani Criminal Code.

Amnesty International recognizes that elected officials in Azerbaijan, including the President, may wish to seek legal redress for written or oral statements that they consider defamatory. The organization believes, however, that it is sufficient that they already enjoy this right under the legal provisions which protect all residents of the Azerbaijani Republic from defamation.

"The additional legislation introduced in 1990 to protect the honour and dignity of the President may place unwarranted restrictions on the right to freedom of expression, and it may be invoked to punish people for their political opposition to the President," Amnesty International said.

The four men currently under arrest are being held in the investigation-isolation prison of the Ministry of National Security in Baku. Unofficial sources allege that they have been beaten and otherwise ill-treated in custody, although Amnesty International has no further specific information on these reports.

The journalists detained are:

- ◆ *Ayaz Ahmedov*, born 1962. He was arrested on 2 March 1995 in Baku by officials of the Ministry of National Security after a search of his home during which a video cassette, computer discs and three copies of the newspaper Cheshme were confiscated. He is associated with the opposition Popular Front of Azerbaijan (PFA) party and has been involved in journalism since 1989, working as a correspondent for a Russian news agency and the PFA newspaper Cumhuriyyet in addition to his writing for Cheshme. He is also a lecturer at Azerbaijan's State Economic Institute.

- ◆ *Asgar Ahmed*, born 1957. He was arrested on 3 March 1995 by officials of the Ministry of National Security after his home in Baku was searched, reportedly without a warrant. He is a lecturer at the Azerbaijani University of Culture and Art, and an active member of the Musavat opposition party.
- ◆ *Yadigar Mammedli* and *Malik Bayramov* . They were arrested on 24 March 1995 at the prosecutor's office where they had been summoned to give evidence in connection with this current case. Both men are journalists with the PFA newspaper Cumhuriyyet.

The further three people to stand trial in this case are print workers *Yaman Abbasov* and *Fuad Yambukhtin*, and distributor *Mirzagusseyn Zeynalov*. The trial is scheduled to begin at 10 am on 22 June 1995, at Baku City Court.

Amnesty International urges the Azerbaijani authorities to drop this case under Article 188-6, and order the immediate and unconditional release of those detained.

The relevant authorities should also carry out a comprehensive investigation into allegations that defendants in this case were beaten while in the custody of the Ministry of National Security, and repeal Article 188-6, to ensure that there are no further prosecutions of people for peacefully exercising their right to freedom of expression.

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