

URGENT ACTION

BLOGGERS IMPRISONED AFTER UNFAIR TRIAL

Two male Azerbaijani youth activists and bloggers Emin Abdullayev (aged 30) and Adnan Hajizade (aged 26) have been sentenced to two and a half years and two years respectively in an unfair trial. Amnesty International believes the charges against them were fabricated and they have been imprisoned solely for exercising their right to freedom of expression.

On 28 June, a satirical video made by Adnan Hajizade criticizing the Azerbaijani government was posted on the video-sharing website YouTube. On 8 July, Adnan Hajizade and Emin Abdullayev (who blogs under the name Emin Milli) were approached by two men as they were dining with friends in a restaurant in the capital Baku. The men demanded to know what they were talking about. When Emin Abdullayev replied that it did not concern the two men, one of the men head-butted him and he fell to the floor. The same man then struck Adnan Hajizade, knocking him to the ground, and continued to kick and beat Adnan Hajizade and Emin Abdullayev until restaurant staff intervened.

Adnan Hajizade and Emin Abdullayev immediately went to a local police station to report the incident. However, police officers interrogated them as suspects for five hours, denying them access to a lawyer of their choosing and arrested them on charges of 'hooliganism'. The activists were remanded in custody pending their trial. They were later also charged with inflicting minor bodily harm.

During their investigation the police and prosecutors failed to interview witnesses and to obtain video evidence from a security camera which may have recorded the incident in the restaurant. They also submitted documents to the court which wrongly stated that Adnan Hajizade was unemployed and that he had a criminal record. According to the activist's lawyers, at the trial the court refused to consider photographs showing the injuries they sustained in the attack, as well as video evidence from mobile phones and the security camera, but provided no explanation as to why. The two men were convicted and sentenced to two and a half and two years respectively in prison. Emin Abdullayev and Adnan Hajizade intend to appeal against the decision.

PLEASE WRITE IMMEDIATELY in English, Azeri, or your own language:

- Calling for the immediate and unconditional release of Adnan Hajizade and Emin Abdullayev;
- Noting that Amnesty International believes them to be prisoners of conscience, detained solely for the peaceful exercise of their right to freedom of expression and association.

PLEASE SEND APPEALS BEFORE 28 DECEMBER 2009 TO:

Ilham Aliyev
President of the Republic of Azerbaijan
Office of the President
19 Istiqlaiyyat St.
AZ1066 Baku, Azerbaijan
Fax: +99412 492 35 43/ 492 06 25
Email: president@president.az
office@apparat.gov.az
Salutation: Dear President

Fikrat Mammadov
Minister of Justice
1, Inshaatchylar prospect
Baku AZ1065
Azerbaijan
Fax: +994 12 430 09 81
Email: contact@justice.gov.az;
international@justice.gov.az
Salutation: Your Excellency

Prof. Elmira Suleymanova
Ombudsperson
Office of the Ombudsman
40 Uz. Hajibeyov Street
Baku AZ1000, Azerbaijan
Fax: + 994 12 498 8574
Email: ombudsman@ombudsman.gov.az
Salutation: Dear Ombudsperson

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Emin Abdullayev and Adnan Hajizade have used online networking tools, including Youtube, Facebook and Twitter, to disseminate information about the socio-political situation in Azerbaijan. Emin Abdullayev is also a co-founder of a youth group named Alumni Network while Adnan Hajizade is a coordinator of the youth movement known as OLI, which advocates non-violence and tolerance. Emin Abdullayev was also an outspoken critic of changes to the Azerbaijani Constitution set out in a referendum on 18 March 2009, following which the presidential term limit was abolished potentially allowing current President Ilham Aliyev or any successor to stand for re-election on a continuous basis.

Amnesty International has repeatedly highlighted its concerns on the increasingly limited sphere for freedom of expression in Azerbaijan and about the use of criminal charges to silence peaceful dissenting voices, most recently in its report Azerbaijan: Independent journalists under siege (Index: EUR 55/004/2009). For instance, prisoner of conscience Qanimat Zahid, the editor-in-chief of opposition newspaper Azadliq, was sentenced to four years' imprisonment on charges of hooliganism and assault in March 2008. Several other journalists have also been imprisoned on false charges in the past few years.

The international community has also expressed concerns about Emin Abdullayev and Adnan Hajizade. For example, on 23 July 2009, the Swedish Presidency of the European Union (EU) issued a statement on behalf of the EU in which it expressed concern at the arrest of the two activists, and reiterated its concern in a statement on 13 November, regretting that the trial proceedings did not reflect due process and believes that the court decision may further undermine the freedom of expression in Azerbaijan. On 12 November, Thorbjørn Jagland, Secretary General of the Council of Europe, also voiced concern about the very harsh sentences imposed by the court in Azerbaijan on Adnan Hadjizadeh and Emin Mili and stated that this sequence of events "will have an inevitable chilling effect on freedom of expression in Azerbaijan."

In its concluding observations with regard to Azerbaijan, published on 13 August 2009 after consideration of reports on Azerbaijan during its 96th session in July, the UN Human Rights Committee expressed concern about the "recent arrest and detention on remand of individuals who had expressed opinions in non-conventional media, especially since no explanation was provided as to why the arrest took place after the individuals had reported to the police attacks on themselves and why the judicial proceedings against them for hooliganism were not held in public." The Committee also reiterated its concern about reports of attacks on journalists, the closure of independent newspapers, the removal of licences for foreign radio stations to broadcast locally and the pattern of hooliganism charges against journalists, and urged Azerbaijan to take the necessary measures to put an end to direct and indirect restrictions on freedom of expression.

UA: 308/09 Index: EUR 55/010/2009 Issue Date: 16 November 2009

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