

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: EUR 55/004/2008 (Public)

Date: 20 March 2008

Azerbaijan: Persecution of opposition newspaper continues unabated

Amnesty International is deeply concerned by the continuing pattern of assault, harassment and questionable legal actions taken against the opposition newspaper *Azadlıq* (Freedom), its staff and business associates. Despite assurances by state officials to the contrary, assaults and criminal cases brought against journalists are not abating in Azerbaijan, nor has anyone been brought to justice for several serious assaults perpetrated against journalists in 2006-2007 (including *Azadlıq* correspondents). These human rights abuses, and the climate of impunity encouraging them, cast serious doubt on the Azerbaijani authorities' commitment to ensuring freedom of expression in the run-up to presidential elections in October of this year.

Stabbing of Azadlıq journalist

Amnesty International is seriously concerned by the stabbing of *Azadlıq* correspondent Agil Xalilov as he left the newspaper's offices on 13 March in the early evening. He was accosted by four unknown men and stabbed in the chest. His injuries were reported to be serious but not life-threatening. Agil Xalilov believes that he was targeted on account of his investigative journalism publicizing the alleged involvement of state officials in illegal land transactions. Agil Xalilov was previously assaulted less than a month earlier on 22 February while filming alleged illegal tree-felling in a park in the capital Baku. On that occasion he was assaulted by two unknown men, allegedly participants in the illegal tree-felling. Local residents who came to Agil Xalilov's assistance reportedly recognized his attackers as local officials. Although he reported the incident to the police, no criminal case had been opened by 20 March.

Amnesty International calls upon the Azerbaijani authorities to take firm action against the climate of impunity for assaults on journalists by ensuring the prompt, impartial and independent investigation of both assaults against Agil Xalilov.

Editor-in-chief imprisoned

On 7 March Qənimət Zahid, editor-in-chief of *Azadlıq*, was sentenced to four years' imprisonment on charges of "aggravated hooliganism" and "assault and battery". Amnesty International believes that a prior history of harassment, the conduct of Qənimət Zahid's trial and the sentence point to a concerted attempt on the part of the Azerbaijani authorities to silence a critical opposition voice.

Qənimət Zahid was arrested on 10 November 2007 on charges of hooliganism and assault. He was alleged to have insulted a female passer-by outside his place of work. Following an altercation with this woman, later identified as Sevgilade Quliyeva, he was then alleged to have inflicted minor bodily harm on a man accompanying her, later named as Vüsal Hasanov. Qənimət Zahid denies all charges against him.

Amnesty International is concerned by reports that Qənimət Zahid's trial was not conducted in compliance with international human rights standards on fair trial. Qənimət Zahid's lawyer Elçin Sadıgov told Amnesty International that his requests for evidence were refused, including requests

for X-rays substantiating claims of broken bones allegedly sustained by Vüsal Hasanov and mobile phone records establishing Vüsal Hasanov and Sevgilade Quliyeva's communications earlier on the day of the incident. Elçin Sadigov further reported that the testimony of key defence witnesses, which would call the prosecution's case into question, was disallowed by the judge. Vüsal Hasanov was given a sentence of 18 months' imprisonment on charges of hooliganism; Amnesty International has not been able to verify claims that Vüsal Hasanov was or still is a police officer. The verdict was given at an unannounced court hearing on 7 March, of which Qənimət Zahid's relatives and lawyers were not informed.

Qənimət Zahid believes his arrest was in retaliation for articles he published alleging corruption in the activities of President İlham Aliyev's family members. His brother Sakit Zahidov, a satirist for *Azadlıq*, is currently serving a three-year sentence on a conviction of illegal drug use that was not conclusively proved at his trial.

The two brothers' cases contribute to the serious concern that the Azerbaijani authorities are shifting away from indictments of defamation, widely criticized by international human rights and governmental organizations, to other more serious types of criminal indictment to silence critical journalists. Terrorism, incitement of ethnic hatred and acceptance of bribes feature among charges brought against opposition journalists over the last year, and have resulted in longer sentences compared to indictments for defamation.

Azadlıq – a pattern of persecution

The *Azadlıq* newspaper has been penalized on several occasions as a result of defamation charges brought by government officials following articles published by the newspaper alleging corruption or other forms of official malpractice. In March 2006 *Azadlıq* correspondent Fikret Hüseynli was abducted, beaten and left for dead on the outskirts of Baku by unknown men. His suffered broken bones and was stabbed in the neck. In October of that year *Azadlıq*, along with a number of other independent media outlets, was evicted from its premises in the capital Baku following an unsubstantiated complaint by the State Property Committee. In December 2006 *Azadlıq* correspondent Nicat Hüseynov was assaulted by unknown men outside his home in Baku. He was thrown to the ground, beaten and stabbed.

Amnesty International has further received reports that the publishing house where *Azadlıq* and other independent media critical of government are printed, Cap Evi, was the subject of an unplanned tax inspection in January 2008. In a context where inspections by a range of different state authorities have previously been used to silence opposition media, as in the cases of the now defunct newspapers *Realny Azerbaydzhan* (Real Azerbaijan) and *Gündelik Azərbaycan* (Azerbaijan Daily), Amnesty International is concerned that such inspections may be directed towards intimidating opposition media.

For further information see Amnesty International's recent publication *Azerbaijan: Mixed messages on freedom of expression* (AI Index: EUR 55/002/2008).

Public Document

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK

www.amnesty.org