



## Freedom of the Press 2007

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### *Draft Country Report and Ratings*

May 1, 2007

### **Azerbaijan**

**Status: Not Free**

**Legal Environment: 24**

**Political Environment: 29**

**Economic Environment: 22**

**Total Score: 75**

Azerbaijan's constitution guarantees freedom of the press, but the government hardly respects it and media freedom continues to decline in practice. Despite the completion of a draft law on defamation that would decriminalize libel, it remains a criminal offense punishable with large fines and up to three years' imprisonment. Defamation lawsuits are the most common method of government intimidation aimed at opposition and independent media. The interior minister alone filed five lawsuits in 2006. In one such case in September, Eynulla Fatullayev, founder and editor of the Russian-language newspaper *Realny Azerbaijan*, received a suspended two-year prison sentence and a fine of \$11,000 for libeling the interior minister. Fikret Faramazoglu, editor in chief of the weekly opposition newspaper *24 Saat*, was also sentenced to a suspended one-year prison term in August for libeling the interior minister. In August, Shakhin Agabeili, editor of the magazine *Milli Yol*, was sentenced to one year in prison for defaming a leader of the ruling Yeni Azerbaijan Party; he was pardoned by President Ilham Aliyev in October.

Azerbaijan passed a freedom of information law in December 2005, but it has not been effectively implemented; government institutions continue to ban opposition and independent journalists from public hearings. The government wields significant control over the National Radio and Television Council (NRTC), the broadcast watchdog and licenser. In November, the NRTC suspended the transmission of the country's first independent television and radio station, ANS, citing a series of legal and regulatory violations. After harsh international criticism, the NRTC allowed ANS to resume broadcasts in December. However, the station remained vulnerable due to outstanding problems with the regulator. The suspension disrupted local transmission of the British Broadcasting Corporation (BBC), Radio Free Europe/Radio Liberty, and Voice of America. On the same day as the action against ANS, a ruling by the Baku's Economic Court on the 1992 lease of a city building forced the evictions of the newspapers *Azadliq* and *Bizim Yol* and the Turan information agency, as well as the headquarters of the main

opposition party, the Popular Front. The news outlets were able to relocate and resume operations after about a week. Foreign broadcasts of Turkish and Russian media were suspended at the end of the year.

Harassment and violence against journalists remains a serious concern in Azerbaijan. In October, members of the *Azadliq* opposition political bloc began a hunger strike to protest the government's harassment of the media, and they were later joined by independent media representatives; it was the second time since 1999 that Azerbaijani journalists have gone on a collective hunger strike. In March, *Azadliq* journalist Fikret Huseynli was kidnapped and stabbed before being released. In May, *Bizim Yol* editor Bakhaddin Khaziyev was kidnapped, beaten, and ordered to stop reporting on sensitive issues, including corruption. His assailants reportedly ran over his legs with a car. Fatullayev ceased publishing both *Realny Azerbaijan* and its Azerbaijani-language sister publication in October, apparently to secure the release of his kidnapped father. *Realny Azerbaijan* resumed publishing in December. In June, authorities detained a prominent satirist for *Azadliq*, Mirza Sakit Zakhidov, on charges of narcotics trafficking and possession. He said the charges were fabricated, but was convicted of drug possession in October and sentenced to three years in prison. The 2005 murder of Elmar Huseynov, founder and editor of the opposition *Monitor* magazine, remained unresolved.

While independent and opposition-affiliated media outlets exist in Azerbaijan, most private broadcast outlets are owned by ruling party supporters. The independent print media are generally able to express a wide variety of views but have minimal circulation outside Baku, unlike progovernment subsidized newspapers. Most print media are printed at government-owned publishing houses, and the owners of private printing presses also frequently have strong government connections. State-owned print and broadcast media, including a public television station established in 2005, toe the government line. The private and independent broadcast channels that are able to express diverse views are not available throughout the country. Independent and opposition media struggle financially because the government prohibits state-owned companies from purchasing advertising space from them and pressures private business to advertise in state-owned media. Internet access is generally unrestricted, although it is limited to less than 10 percent of the population primarily located in larger cities. In July, local media reported that a popular blog had been blocked due to its parodying of the president.