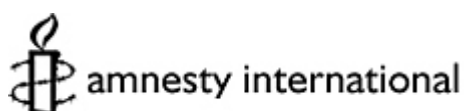


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Amnesty International Report 2010 - Azerbaijan

REPUBLIC OF AZERBAIJAN

Head of state: Ilham Aliyev
Head of government: Artur Rasizade
Death penalty: abolitionist for all crimes
Population: 8.8 million
Life expectancy: 70 years
Under-5 mortality (m/f): 54/52 per 1,000
Adult literacy: 99.5 per cent

Restrictions on freedom of expression were tightened. Legislation and practice on the prohibition of torture and other ill-treatment fell short of international standards, including in the failure to investigate torture allegations. Independent journalists and civil society activists continued to face harassment and imprisonment on charges of hooliganism and libel. The authorities failed to conduct a thorough investigation into the death in custody of a human rights defender who was convicted after an unfair trial and denied necessary medical care.

Background

Some progress was made in talks between Azerbaijan and Armenia over the disputed territory of Nagorno-Karabakh, a predominantly ethnic Armenian enclave within Azerbaijan that broke away following the 1990 war. On 2 November, following talks in Moscow, Armenia and Azerbaijan signed a joint agreement aimed at resolving their dispute over Nagorno-Karabakh on the basis of international law. Some 600,000 people internally displaced by the conflict continued to have restricted access to their economic and social rights.

Torture and other ill-treatment

In November the UN Committee against Torture expressed concern at Azerbaijan's failure to implement the Convention against Torture in legislation and practice, including by prosecuting those responsible for torture. The Committee was also concerned at the extradition of Chechens to the Russian Federation and of Kurds to

Turkey, where they risked torture.

- In January the Supreme Court overturned the decision on the convictions of Dmitri Pavlov, Maksim Genashilkin and Ruslan Bessonov made by the Baku Appeal Court in July 2008. The convictions of the three juveniles in June 2007, on charges of murdering another teenager, had been based on confessions allegedly extracted under torture. The Supreme Court found that the Appeal Court had failed to summon witnesses, cross-examine them about contradicting testimonies, or investigate allegations of forced confessions. In June the Appeal Court reviewed the case for the third time but reportedly failed to rectify the errors identified by the Supreme Court.

Freedom of expression

Street protests were effectively banned. Youth opposition activists who attempted to hold demonstrations in Baku in January were reportedly arrested by police.

In March, Parliament passed several amendments to the laws regulating the mass media. These allowed the closure of media outlets for the "abuse of freedom of speech and a journalist's rights", vaguely defined as distributing information that threatened the "integrity of the state" or violated public order.

The constitutional referendum in March resulted in further restrictive measures in the Constitution and legislation. These prohibited the photographing, filming or recording of people without their consent, even in the public domain, effectively preventing the reporting of events of public interest. Opposition supporters and groups attempting to campaign against the referendum were reportedly intimidated and harassed by the police.

Independent journalists and civil society activists continued to be charged and imprisoned with the criminal offences of defamation and hooliganism. The UN Human Rights Council, concluding a Universal Periodic Review of human rights in June, called on Azerbaijan to decriminalize defamation and reverse its ban on foreign radio broadcasters. The UN Human Rights Committee in August urged the government to end direct and indirect restrictions on freedom of expression.

- In November a court in Baku sentenced two well-known youth activists, Emin Abdullayev (blogger name Emin Milli) and Adnan Hajizade, to 30 and 24 months' imprisonment respectively. They had been convicted of hooliganism and inflicting minor bodily harm. The charges were reportedly fabricated to punish their non-violent dissenting views as part of a continued clampdown on government critics.

In the autonomous republic of Naxçıvan, an Azerbaijani exclave bordered by Iran and Armenia, the authorities continued to harass and obstruct the work of journalists.

- In January Hakimeldos Mehdiyev, Elman Abbasov and Mehman Mehdiyev, correspondents of the NGO Institute for Reporters' Freedom and Safety, and Malahat Nasibova, a correspondent for Radio Free Europe/Radio Liberty, were reportedly attacked and prevented from filming by local authorities while investigating reports of police abuse in Heydarabad village. Hakimeldos Mehdiyev said he was beaten by local police, then forced into his car and expelled from the village.

Human rights defenders

Human rights defenders remained under pressure. New regulations for NGOs came into effect in September introducing unspecified financial reporting obligations and a requirement for foreign NGOs to obtain authorization from the Ministry of Justice in order to operate in Azerbaijan.

- In March a defamation suit against human rights activist Leila Yunus was withdrawn by the Ministry of Internal Affairs. She had been charged with criminal libel in December 2008 after reporting allegations of human rights abuses made in the course of a public criminal trial she was monitoring. The authorities failed to conduct a prompt, thorough or impartial investigation into the death in prison, apparently following medical neglect, of a seriously ill human rights defender.
- In August, Novruzali Mammadov, a 67-year-old Talysh minority activist, died in a prison hospital. He had been serving a 10-year prison sentence for treason after a trial in June 2008 that was reportedly unfair and politically motivated because of his activities in promoting the Talysh language and culture. A thorough investigation into his death, including into whether he had been denied necessary medical treatment, was not carried out.

Amnesty International report

- Azerbaijan: Independent journalists under siege (EUR 55/004/2009)

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