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Freedom of the Press 2010 - Azerbaijan

Status: Not Free

Legal Environment: 25

Political Environment: 32

Economic Environment: 22

Total Score: 79

Media freedom in Azerbaijan continued to deteriorate as President Ilham Aliyev clamped down on the opposition, independent journalists, and civil society. Azerbaijan remained a leading jailer of journalists, and the authorities used the threat of arrest and imprisonment to censor the media. At year's end, six journalists remained in custody.

The government aggressively uses legislation to stifle media freedom. In March 2009, referendum voters approved constitutional changes that banned the audio recording, videotaping, or photographing of individuals without their consent. The law on mass media was also amended to allow the government to more easily and quickly close down media houses. The parliament considered but ultimately rejected a measure that would have allowed the government to disband media organizations convicted of publishing "biased articles" three times within two years. Azerbaijan adopted a Law on the Right to Obtain Information in 2005, but the authorities have failed to properly implement it; access to information is routinely blocked, requests for information are rarely granted, and there is little regard for the applicable procedures and deadlines.

Libel is a criminal offense. Journalists who criticize the government are frequently prosecuted and imprisoned, and the number of libel cases increased in 2009. In April, Asif Merzili, editor of *Tezadlar*, was sentenced to one year in prison on defamation charges, and his colleague Zumrud Mammadov was sentenced to six months of corrective labor, though their convictions were overturned by a higher court later that month. Nazim Guliyev of *Ideal* was convicted of defamation in May and sentenced to six months in prison. In October, three *Nota* staff members were convicted of defamation; editor in chief Sardar Alibeili and correspondent Faramaz Allahverdiyev were sentenced to several months in prison, while another employee, Ramiz Tagiyev, received a six-month suspended sentence. Also that month, chief editor Zahir Azamat of the sports website *Fanat.az* and a writer, Natig Mukhtarli, were sentenced to six months and one year of corrective labor, respectively, for insulting the local soccer club's president.

The authorities filed new charges against jailed journalist Eynulla Fatullayev in late December after they allegedly found heroin in his jacket. He had been imprisoned since 2007 for defamation, incitement of ethnic hatred, terrorism, and tax evasion, and the new charges came as the European Court of Human Rights considered Fatullayev's lawsuit accusing the government of unjust prosecution. Mushfig Huseynov of the opposition daily *Bizim Yol*, who began a five-year prison sentence for extortion in January 2008, also remained in custody at year's end. In August, Novruzali Mamedov, the

editor of a small newspaper, died in prison two years into a 10-year term for treason. His family and colleagues said he had been suffering from a number of ailments, and that the authorities had failed to provide proper medical attention. The government does not meaningfully investigate attacks and threats against journalists, and several were attacked during the year. The period leading up to the March constitutional referendum, which also removed presidential term limits, was particularly difficult.

The political environment in Azerbaijan is oppressive and the media environment highly politicized. Journalists overwhelmingly practice self-censorship. Reporting on the Nakhchivan Autonomous Republic, an exclave separated from the rest of Azerbaijan by Armenian territory, is nearly off-limits. Journalists who operate in Nakhchivan are harassed, and few outside the region comment on its political developments.

Television stations, largely controlled by the government or government-friendly elites, are the dominant source of news, and broadcast media almost exclusively promote the government line. Although the print media continue to express diverse views despite the repressive climate in which they operate, these views are highly politicized, as most print outlets are tied to either the ruling party or the opposition. In January, foreign services such as the British Broadcasting Corporation, Radio Free Europe/Radio Liberty, and Voice of America were forced off the local airwaves after the National Television and Radio Council barred domestic frequencies from carrying international transmissions. This significantly curtailed the news and information available to the public. Most print media are published in government-owned publishing houses, and the private printing presses are owned by individuals connected to the government. Independent and opposition newspapers struggle financially. State businesses are prohibited from buying advertising in opposition newspapers, and private businesses are pressured to do the same. Some libraries were barred from subscribing to opposition newspapers.

About 42 percent of the population uses the internet. The government does not legally restrict internet access, but internet providers must be licensed and have a formal agreement with the Ministry of Communication and Information Technologies. On occasion, the government has blocked access to websites. Two video bloggers, Emin Milli and Adnan Hajizade, were arrested for hooliganism in July 2009. Prior to their arrest, they had posted a series of videos and sketches criticizing government policies. In November, Milli was sentenced to two and a half years and Hajizade to two years in prison.

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