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Azerbaijan

REPUBLIC OF AZERBAIJAN

Head of State	Ilham Aliyev
Head of government	Artur Rasizade
Death penalty	abolitionist for all crimes
Population	8.5 million
Life expectancy	67.1 years
Under-5 mortality (m/f)	90/81 per 1,000
Adult literacy	98.8 per cent

Freedoms of expression and assembly continued to be widely restricted. Independent and opposition journalists faced imprisonment on libel charges, harassment by law enforcement officials and, in some cases, physical assault. Two widely read opposition newspapers were shut down; five journalists were pardoned and released at the end of the year. Three teenagers were imprisoned for 10 years without investigation into allegations that they had confessed under torture. Human rights activists were intimidated. An ethnic Azeri activist was extradited to Iran despite risk of torture or other ill-treatment. Internally displaced people were prevented from fully exercising their social and economic rights.

Freedom of expression – journalists

The right to freedom of expression, particularly for journalists reporting on corruption, other abuses of public office or socio-economic problems, continued to be routinely restricted. One journalist was severely beaten by unknown men; two journalists were reportedly beaten by law enforcement officials. Editions of opposition newspapers carrying politically sensitive reporting were confiscated or banned from sale by local government bodies. No progress was made in investigations into the 2005 murder of newspaper editor Elmar Hüseynov or serious assaults perpetrated against journalists in 2006 by unknown men.

- A persistent campaign targeting Eynulla Fetullayev, outspoken editor of the popular opposition newspapers Real Azerbaijan (Realny Azerbaydzhan) and Azerbaijan Daily (Gündelik Azərbaycan), resulted in two separate trials in April and October respectively. In April, he was sentenced to 30 months' imprisonment for defaming victims and survivors of killings in the village of Xocalı during the 1991-1994 war in Nagorny Karabakh. He denied authorship of the internet postings, of unclear origin, on which the case was based. In May, both newspapers closed after a series of inspections of their premises by state authorities, apparently aimed at shutting the newspapers down. In October, Eynulla Fetullayev was sentenced to eight and a half years' imprisonment on separate charges of terrorism, incitement of ethnic hatred and tax evasion. He denied all charges against him. Amnesty International considered him a prisoner of conscience.
- Four other opposition or independent journalists and editors, Faramaz Novruzoğlu, Yaşar Agazade, Rovşan Kebirli and Nazim Quliyev, were imprisoned on charges of libel and insult after publishing articles about high-ranking political figures or alleging corruption in public office. Faramaz Novruzoğlu, Yaşar Agazade and Rovşan Kebirli were pardoned and released in December. Nazim Quliyev was also released in December by court order.

- Journalist Rafiq Tağı and editor Samir Sedeqetoğlu of the Art (Sanat) newspaper were sentenced in May to three and four years' imprisonment respectively for incitement of religious hatred after writing and publishing an article critical of Islam. Amnesty International considered both men prisoners of conscience, having found nothing in the article that could be construed as incitement to hostility, violence or discrimination. Both men were pardoned and released in December.
- A serious assault on opposition journalist Üzeyir Ceferov by unknown men in April, on the same day as he testified in defence of Eynulla Fetullayev (see above), was unsolved at the end of 2007.
- In September, reporter Süheyle Qemberova of the Impulse (Impuls) newspaper was reportedly beaten by court officials while researching an article on forced evictions. She was hospitalized after being kicked and punched.
- In Naxçıvan (an Azerbaijani exclave bordered to the south by Iran and to the east by Armenia), Hekimeldostu Mehdiyev, journalist for the opposition New Equality (Yeni Müsavat) newspaper, was seized by police, allegedly beaten and detained for four days in September after reporting on socio-economic problems in the region.
- Qenimet Zahid, chief editor of the opposition Freedom (Azadlıq) newspaper and brother of imprisoned satirist Sakit Zahidov, was charged in November with hooliganism and causing bodily harm after an incident with two passers-by he claimed was orchestrated by the authorities. His case was still pending at the end of the year.

Police – excessive use of force

Police reportedly used excessive force to prevent journalists from reporting or filming politically sensitive events such as opposition party rallies. In June, about 200 police officers dispersed an unauthorized rally by some 50 journalists against protesting the curtailment of freedom of speech. Journalists at the rally were kicked and punched, and one had to be hospitalized with stomach injuries. In July, President İlham Aliyev declared that no police officer would face criminal prosecution for allegedly beating journalists during the 2005 parliamentary elections. Human rights activists condemned the comment as contributing to a climate of impunity for the use of force by police against journalists.

Torture and other ill-treatment

There were persistent reports of the use of torture or other ill-treatment by law enforcement officials. In October, the deputy Minister of Internal Affairs, Vilayət Eyvazov, stated at a press conference that police officers occasionally use torture when interrogating suspects in pre-trial detention.

- In June, the Court of Grave Crimes sentenced teenagers Dmitri Pavlov, Maksim Genashilkin and Ruslan Bessonov, accused of murdering another teenager, Vüsal Zeynalov, to 10 years' imprisonment after a trial characterized by serious irregularities. The boys' allegations that they had incriminated one another under torture following their arrest in March 2005 had not been investigated. The boys' parents told Amnesty International they believed their sons were targeted on account of their Russian ethnicity, allowing the crime to be construed as ethnically motivated since Vüsal Zeynalov was an ethnic Azeri.

Human rights defenders

Law enforcement agents reportedly intimidated human rights defenders, and in one case, failed to intervene to protect an NGO from intimidation.

- In April, Javid Aliyev, the son of Akifa Aliyeva, Helsinki Citizens' Assembly coordinator in the city of Ganja, was arrested and sentenced to three days' imprisonment for refusal to co-operate with police after

being questioned about hanging a curtain in the rear window of his car. The arrest followed alleged threats from local police that Akifa Aliyeva's human rights activism was putting her children in danger.

- On 5 July, members of the Modern Equality (Müasir Müsavat) party picketed outside the office of the Institute for Peace and Democracy. They threw eggs and other objects at the office, but police officers present did not intervene.

Deportation and extradition

The authorities continued to extradite people despite risk of torture or other ill-treatment.

- In April, Hadi Sid Javad Musevi, an Iranian citizen and ethnic Azeri activist of the Southern Azerbaijan National Awakening Movement (SANAM) was extradited to Iran. Hadi Musevi had fled to Azerbaijan in 2006 after reportedly being arrested and tortured in Iran.
- In May, the UN Committee against Torture ruled that the extradition of Elif Pelit (a Turkish citizen of Kurdish ethnicity) to Turkey in October 2006, breached international obligations against forcible return to states where there is a risk of torture.

In another case, people were deported without being given access to appeal procedures.

- Six Jehovah's Witnesses, consisting of one Dutch, one British, two Russian and two Georgian citizens, were deported in January on the basis of administrative deportation orders, which do not require any court hearings. According to the authorities they were deported for violating the law against foreigners conducting religious agitation. The deportations followed a raid on a Jehovah's Witnesses meeting in December 2006, at which the authorities claimed to have confiscated technological equipment suitable for espionage activities, an allegation the Jehovah's Witnesses denied. Those deported were reportedly not allowed to appeal.

Internally displaced people

Hundreds of thousands of people internally displaced by the conflict in Nagorny Karabakh in 1991-94 continued to face obstacles preventing them from enjoying their economic and social rights. These included reported restrictions on their freedom of movement, resettlement in economically impoverished and isolated locations, difficulties with registering new family units, and the absence of consultative mechanisms.

In September the State Committee on Refugees and Internally Displaced People offered Amnesty International assurances that all displaced people enjoyed uninhibited freedom of movement in the country, while acknowledging problems with the registration of new family units and stating that continued efforts were required to secure the economic and social rights of vulnerable urban displaced people.

To this end, the State Committee had prepared a programme addressing the needs of urban displaced people housed in former municipal buildings, schools and barracks. However, people resettled following displacement continued to be denied legal tenure of their new accommodation, which was defined as "temporary". This compromised their capacity to exercise the right to choose between eventual return should a peace settlement be reached, integration or permanent resettlement elsewhere in the country.

Amnesty International visit/reports

- Amnesty International representatives visited Azerbaijan in September.
- Azerbaijan: The contracting space for freedom of expression (EUR 55/003/2007)
- Azerbaijan: Displaced then discriminated against – the plight of the internally displaced population (EUR 55/010/007)
- Europe and Central Asia: Summary of Amnesty International's concerns in the region, July-December 2006 (EUR 01/001/2007)