

**Flygtningenævnets baggrundsmateriale**

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| <b>Bilagsnr.:</b>               | <b>61</b>                            |
| Land:                           | Aserbajdsjan                         |
| Kilde:                          | Amnesty International                |
| Titel:                          | "Freedom of expression under attack" |
| Udgivet:                        | 29. maj 2007                         |
| Optaget på baggrundsmaterialet: | 30. maj 2007                         |

# AZERBAIJAN

## REPUBLIC OF AZERBAIJAN

Head of state: İlham Aliyev  
Head of government: Artur Rəisizadə  
Death penalty: abolitionist for all crimes  
International Criminal Court: not ratified

Rights to freedoms of expression and assembly were restricted. Police routinely used force to disperse demonstrations. Opposition journalists were attacked, imprisoned or fined on criminal defamation or dubious drugs-related charges. Opposition politicians were denied rights to due process and reportedly in some cases medical care and access to legal counsel of their own choosing. A journalist was extradited to Turkey despite being at risk of torture or other ill-treatment. People internally displaced by the conflict in Nagorny Karabakh in 1991-94 had restricted opportunities to exercise their economic and social rights.

## Freedom of expression under attack

Rights to freedoms of expression and assembly were routinely restricted. Police dispersed authorized and unauthorized meetings, reportedly with excessive force on occasion.

- Two serious assaults on opposition journalists Fikret Hüseynli and Baxaddin Xəzizəyev, attacked in March and May respectively by unidentified assailants, were unsolved at the end of 2006.
- Two further assaults by unidentified men took place in late December. Ali Orucov, press secretary of the opposition Azerbaijan National Independence Party, suffered bruising and a fractured finger. Nicat Hüseynov, a journalist with the Azadlıq newspaper, was hospitalized with head and internal injuries and a stab wound after being attacked in the street in broad daylight.
- No progress was made in investigating the murder in 2005 of newspaper editor Elmar Hüseynov, widely believed to have been killed because of his criticism of political corruption.
- Criminal defamation proceedings were brought against several individuals and newspapers. They resulted in the imprisonment of two journalists, who were pardoned and released in October, and a number of suspended sentences and heavy fines, in one case leading to the closure of independent newspaper Realny Azerbaydzhan.
- Well-known satirist and government critic Sakit Zəhidov of the Azadlıq newspaper was arrested on charges of drug-dealing in June. He claimed drugs had been forcibly planted on him after he was abducted and then arrested by plain clothes policemen. After no evidence of drug-dealing was presented at his trial, the charge was reduced to use of illegal drugs. However, a urine test at the time of arrest reportedly showed no evidence of drug usage, and doctors called as witnesses admitted that their diagnosis of Sakit Zəhidov as a drug addict was based on 30 minutes' visual observation only. He was sentenced to three years' imprisonment. His appeal was rejected in December; reportedly no new evidence or witnesses were presented at the hearing.
- On 24 November the Azadlıq and Bizim Yol newspapers, the Institute for Reporter Freedom and Safety (a media freedom non-governmental organization with close links to Azadlıq), the independent journalists' association Yeni Nesil and the Turan news agency were forcibly removed by police from their premises in Baku following a legal ruling they claimed was unfounded and politically motivated. Also on 24 November the National Radio and Television Council decided not to extend the broadcasting licence of the ANS television company, widely regarded as the most independent in the country. The cessation of ANS broadcasting further ended the retransmissions on ANS frequencies of international radio stations such as the BBC, Radio Liberty and the Voice of America. Following international and national appeals, on 12 December ANS was reinstated temporarily pending completion of a tender for its frequencies scheduled for January 2007.

## Unfair trial concerns

- Three leaders of the Yeni Fikir youth movement arrested in 2005 on charges of plotting a coup d'état were imprisoned in July after an unfair trial. At the trial, only witnesses for the prosecution gave evidence and no jury was appointed, in contravention of Azerbaijani law. Allegations of torture in the case of one of the accused, Ruslan Bağırlı, were not investigated, and medical care was reportedly denied to another, Said Nuri.
- Opposition party activist Qadir Məsəyev was imprisoned in May for seven years following conviction on charges of drug dealing. Reports suggested the charges were fabricated because of his refusal to sign fraudulent election result protocols

when serving as a polling station official.

- Former Minister for Economic Development Farhad Aliyev and his brother Rafiq (no relation to President Aliyev), arrested in October 2005 on charges of plotting to violently overthrow the government, were allegedly denied due process in pre-trial detention. According to reports, their right to legal counsel of their choosing was consistently denied from the time of their arrest, and Farhad Aliyev was not allowed access to appropriate medical care. No hearings have been heard in the brothers' case, and no trial date set. Their property has been expropriated and family members allegedly intimidated.

## Risk of torture

On 13 October, Kurdish journalist Elif Pelit was extradited to Turkey, where she was detained on charges of membership of the Kurdish Workers' Party (PKK). In 1999 she had been granted asylum, and subsequently citizenship, in Germany. She was first arrested in Azerbaijan on 4 November 2004, for crossing the border illegally from Iraq while on assignment for Mesopotamia, a Kurdish news agency linked to the PKK. Fined and released in March 2005, she was immediately rearrested under Turkey's extradition order, and her extradition was confirmed by the Supreme Court in October 2005.

## Restricted rights for the displaced

People internally displaced by the conflict in Nagorny Karabakh continued to have their freedom of movement restricted by a cumbersome internal registration process linking eligibility for employment and social services to a fixed place of residence. Although there was progress in moving the displaced out of temporary shelters and providing housing, many new purpose-built settlements were located in remote and economically depressed areas. People re-housed in these settlements faced a lack of jobs and access to basic services such as education and health care.

## AI country reports/visits

### Reports

- Europe and Central Asia: Summary of Amnesty International's concerns in the region, January-June 2006 (AI Index: EUR 01/017/2006)

- Commonwealth of Independent States: Positive trend on the abolition of the death penalty but more needs to be done (AI Index: EUR 04/003/2006)

### Visits

AI delegates visited Azerbaijan in April and July.