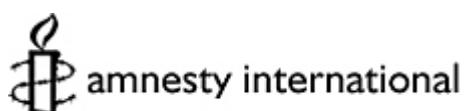


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## Amnesty International Annual Report 2011 - Azerbaijan

Head of state: Ilham Aliyev  
Head of government: Artur Rasizade  
Death penalty: abolitionist for all crimes  
Population: 8.9 million  
Life expectancy: 70.8 years  
Under-5 mortality (m/f): 54/52 per 1,000  
Adult literacy: 99.5 per cent

**Journalists and civil society activists continued to face intimidation. The authorities continued to ban demonstrations in the centre of Baku. NGOs and religious organizations faced restrictions in obtaining registration.**

### Background

The parliamentary elections on 7 November were described by the OSCE as "peaceful" but "not sufficient to constitute meaningful progress in the democratic development of the country."

Against a backdrop of skirmishes along Azerbaijan and Armenia's ceasefire line and an increase in their defence budgets, little progress was made in the negotiations to resolve the Nagorno-Karabakh conflict under the aegis of the OSCE Minsk Group. Some 600,000 people internally displaced by the conflict continued to suffer discriminatory registration requirements and inadequate housing.

### Freedom of expression

Threats, harassment, and acts of violence against journalists and civil society activists continued with impunity, leading to an increase in self-censorship. Criminal and civil defamation laws were used to silence criticism, resulting in prison sentences and heavy fines against journalists.

On 12 February, the parliament (Milli Mejlis), approved a ban on the use of video, photo, or voice recordings without the subject's prior knowledge or consent. Only law enforcement officials were exempt.

Journalists and civil society activists were frequently subjected to violence and prevented from carrying out their work, sometimes through excessive use of force by

police officers.

- Seven journalists, attempting to cover the 27 April protests against the government's clampdown on the freedoms of expression and assembly, were detained by police officers. Two journalists, Mehman Huseynov from the Institute for Reporter Freedom and Safety, and Afgan Mukhtarli from the *Yeni Musavat* newspaper, reportedly had their cameras broken. Mehman Huseynov's leg was allegedly injured during the dispersal.

During the election period, a number of journalists were forcibly expelled from polling stations and detained by the police when trying to record electoral violations such as ballot stuffing.

- On 18 November, Bakhtiyar Hajiyevev, a youth activist and parliamentary candidate who exposed electoral violations, was detained on the Azerbaijan/Georgia border and held overnight at a military drafting centre before being released. He was threatened with forcible conscription into the army, despite being excused from military service as a registered student and a parliamentary candidate.

On 22 April, the European Court of Human Rights ruled that Eynulla Fatullayev, a newspaper editor and journalist, was unlawfully imprisoned, and ordered his immediate release. He had been sentenced to eight and a half years in prison on charges of defamation, incitement to ethnic hatred, terrorism and tax evasion. He remained in prison and, on 6 July, a Baku court convicted and sentenced him to two and a half years in prison for possession of illegal drugs. On 11 November the Supreme Court annulled the charges of defamation, incitement to ethnic hatred and terrorism. However, Eynulla Fatullayev remained in prison on the drug-related charges, which were widely believed to have been fabricated.

Two youth activists and bloggers, Adnan Hajizade and Emin Abdullayev (blogger name Emin Milli), held on fabricated charges of "hooliganism" since 8 July 2009, were conditionally released on 18 and 19 November, having served 16 months of their respective 24 and 30 month prison sentences. By the end of the year, their convictions had not been overturned.

### **Freedom of assembly**

Demonstrations continued to be banned in Baku's city centre. Throughout the year, especially during the election period, opposition parties were prevented from holding rallies or demonstrations, or were allocated unsuitable locations such as building sites.

- On 27 April, around 80 people, travelling to a rally in Baku in defence of the rights to freedom of expression and assembly, were seized by police officers, who pushed them into minibuses and police cars. Forty were driven to the outskirts of the city and released immediately and another 30 were taken to a police station and released after five hours. Ten were charged with resisting arrest and violating public order, and released in the late evening. On 13 April, police had broken up a similar protest at the same location organized by the opposition Musavat party, arrested 47 people and released them after several hours.

### **Freedom of association**

Loopholes in the law relating to the registration of NGOs continued to be used to prevent organizations from registering legally. Some religious communities were also denied registration or faced difficulties re-registering, following the 2009 amendments to the Law on Freedom of Religion which made unregistered activity illegal. According to a report published in June by the Council of Europe Commissioner for Human Rights, fewer than half the 534 previously registered religious communities were able to re-register.

**Violence against women**

On 25 May, parliament adopted the Draft Law on Domestic Violence, criminalizing domestic violence and providing for the creation of aid centres for victims of violence.

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