

# AMNESTY INTERNATIONAL

## Public Statement

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### **Azerbaijan: Freedom of expression under attack**

Amnesty International is concerned at the sharp deterioration in freedom of expression in Azerbaijan, and in particular the killing, beating and intimidation of journalists. A series of violent attacks on journalists and the lack of thorough, effective and independent investigations into these incidents have had a chilling effect on the freedom of expression in the country. The fact that no one has been brought to justice for these attacks, and that in most cases the identity of the assailants remains unknown, contributes to a climate of impunity for assaults against journalists. In other cases allegations of the beating and harassment of journalists by law enforcement officials have yet to be thoroughly or independently investigated. The fact that many of the victims are closely linked to opposition parties and newspapers suggests a political context to these abuses which Amnesty International finds deeply alarming.

Amnesty International has written to the President of Azerbaijan, the Minister of Internal Affairs, the Ombudsman of the Azerbaijani Republic, the Azerbaijani Press Council and the Prosecutor General raising concerns related to the harassment of journalists by law enforcement officials, especially during the 2005 parliamentary election campaign, the murder of Elmar Huseynov in March 2005, assaults on Fikret Huseynli and Bahaddin Haziyev and the arrest and prosecution of Sakit Mirza Zakhidov.

Concerns raised by Amnesty International include attempts by law enforcement or security forces to restrict freedom of expression during politically sensitive periods, such as election campaigns. On several occasions in the period preceding the 6 November 2005 parliamentary elections journalists covering demonstrations and rallies were assaulted and harassed despite being clearly identifiable as journalists through the wearing of armbands and/or press jackets. The fact that municipal authorities may not have authorized a meeting or rally in no way justifies the harassment or beating of journalists in the course of their professional work at such meetings.

Azerbaijan has an obligation to promote and protect the right to freedom of expression, which is guaranteed in number of international treaties to which it is party, such as the European Convention on Human Rights (ICCPR; Article 10) and the International Covenant on Civil and Political Rights (Article 19). Amnesty International has called on the Azerbaijani government to publicly condemn any human rights abuses against journalists, opposition party members and leaders, and all others who peacefully exercise their right to freedom of expression during election campaigns or at any other time.

Amnesty International is also deeply concerned at the increase in attacks against journalists by unidentified assailants. These have included the killing of Elmar Huseynov in March 2005, and severe assaults sustained by Fikret Huseynli in March 2006 and Bahaddin Haziyev in May 2006. The survivors of these attacks and their colleagues and relatives believe they were motivated by coverage of officials implicated in corruption scandals in Azerbaijan. Regardless of the motives for these assaults and the killing of Elmar Huseynov, the lack of thorough and transparent investigations into these cases has

contributed to a climate of impunity for attacks against journalists.

States party to international human rights treaties are obliged not only to prevent human rights abuses in the actions of state institutions and law enforcement agents, but to demonstrate due diligence in taking steps to prevent and investigate human rights abuses by non-state actors. The failure to vigorously investigate the cases cited above indicates a pattern which Amnesty International believes shows that the Azerbaijani authorities are failing in their duty to exercise due diligence in the pursuit of justice and redress for victims. Without investigation and redress, attacks on journalists who report opposition views or who criticize the government appear to be either responses to critical reporting on issues such as corruption and other abuses of office within governmental institutions, or attempts to muzzle the opposition during election campaigns.

Finally Amnesty International raised concerns regarding the arrest and prosecution of well-known satirist Mirza Sakit Zakhidov. He was arrested on 23 June 2006 and charged with the possession of and intention to deal in illegal narcotics; his lawyer, who was denied access to Mirza Sakit Zakhidov until 29 June, has said that narcotics were planted on his client in a pre-prepared operation. Sakit Mirza Zakhidov's colleagues and human rights activists in Azerbaijan believe that his arrest is politically motivated by the critical nature of his satires directed at prominent official figures. Allegations by human rights activists that incriminating evidence has been planted on politically targeted individuals have increased in recent months in Azerbaijan, for instance, in the case of opposition party activist Qadir Musayev, sentenced to seven years' imprisonment for possession of narcotics in May 2006 (see AI Index EUR 55/002/2006). At this time of writing Mirza Sakit Zakhidov is on hunger strike, lending urgency to the need to progress with his case and confirm or deny, through independent enquiry, the allegation that incriminating evidence was planted on him. Amnesty International has requested information from the Azerbaijani authorities with regard to concrete steps taken to advance investigation of Mirza Sakit Zakhidov's case.

Amnesty International urges the Azerbaijani authorities to ensure that thorough, effective and independent investigations are conducted into all incidents of killings, beatings and other human rights abuses committed against journalists. This is both urgent and necessary to counter the current climate of impunity for assaults on journalists and on all those who peacefully exercise the right to freedom of expression.