

Azerbaijan's
mass media is
in

*8 Journalists
Imprisoned*

*2 Journalists in Pre-
Trial Detention*

DANGER

8 JOURNALISTS IMPRISONED IN AZERBAIJAN



“REALNY AZERBAIJAN” CHIEF EDITOR EYNULLA FATULLAYEV has been serving an 8.5 year prison, since 30 October 2007, when he was convicted of threatening terror, inciting ethnic and religious hatred and tax evasion. Besides the tax evasion accusation, these charges stem from an article entitled the “The Aliyevs Go to War,” which was published in Realny Azerbaijan in March. The article predicted what might happen in Azerbaijan if a war were to breakout between Iran and the U.S., taking into account Azerbaijan’s decision to be part of the “Anti-Iran” coalition in the U.N. Prior to the formal institution of these charges, Fatullayev has already been serving a 2.5 year prison sentence since 20 April 2007 on charges of libel and insult put forth by Chairperson of the Committee for Internally Displaced Persons Tatyana Chaladze. Fatullayev’s 8.5 year prison sentence envisages the punishment for all of his convictions. In the months leading up to Fatullayev’s imprisonment, Realny Azerbycan’s office was egged and attacked, and someone phoned a death threat against Fatullayev into the publications office. After the Chief Editor was arrested, both of his newspapers, Realny Azerbaijan and Gundalik Azerbaijan, which were the two newspapers in Azerbaijan with the highest circulation, were shuttered after the government confiscated all equipment and evicted the publications from out of their office. Fatullayev is widely regarded as one of the most controversial and well-informed journalists in Azerbaijan.



“AZADLIG” NEWSPAPER SATIRIC/CORRESPONDENT SAKIT ZAHIDOV (MIRZA SAKIT), in prison since 23 June 2006, is serving a three-year prison sentence for possession of a narcotic. These charges against Zahidov are widely regarded as bogus. Zahidov harshly criticized Azerbaijan’s ruling party in poems he wrote for “Azadlig,” “Bizim Yol,” and “Baki Bulvari” newspapers over the last three years, and a week prior to his arrest ruling party Executive Secretary Ali Akhmedov publicly stated that Zahidov needed to be silenced. One week prior to Zahidov’s arrest, Azadlig Newspaper ran an article in which S. Zahidov claimed he was under surveillance. Zahidov passed an express urine drug test on the day he was imprisoned, and an independent investigation confirmed that the satiric/journalist’s name was not in the registration book of the Republic Narcotics Dispensary where a drug test supposedly conducted on Zahidov. During the journalist’s trial the prosecution back-stepped, changing drug dealing charges to only drug use charges. Witnesses in Zahidov’s court trial gave conflicting testimony, and no witness unaffiliated with law enforcement agencies gave any compromising testimony about Sakit Zahidov. Doctors from the Republic Narcotics Dispensary admitted in court that reports they filed that said Zahidov was in the first stage of drug addiction were based only on 10 minutes of visual observations; no lab tests were performed. The international community has recognized Sakit Zahidov as a probable political prisoner and a prisoner of conscience, and conducted numerous campaigns for Zahidov’s release. Prior to his imprisonment, Zahidov suffered from heart problems, which have now increased. In addition, he also now has digestive problems and has lost seven teeth in prison.



“MUXALIFET” NEWSPAPER EDITOR ROVSHAN KEBIRLI has been serving a 2.5 year prison sentence since 16 May 2007. The Yasamal District Court adopted a decision to imprison Kebirli on the basis of a criminal lawsuit put forth by Parliamentarian Jalel Aliyev and AMAY Company, on the basis of article 147 (libel) and 148 (defamation) of Azerbaijan’s Criminal Code. Aliyev’s lawsuit stemmed from the article “AMAY is Aliyev family’s sign,” which was published in Muxalifet Newspaper on 27 February 2007. Specifically, J. Aliyev instituted this case over a sentence which reads, “Jalel Aliyev is the head of the cycle of bribery in Azerbaijan.” During the hearing, Kebirli noted that the article who written by Muxalifet correspondent Agazadeh, who cited his information from the 10 April 2006 edition of “Bu Gun” Turkish newspaper. The Appellate Court is currently considering this case. In addition, Kebirli, with his fellow

imprisoned colleague Yashar Agazadeh, have filed a lawsuit against the Justice Ministry due to the “unbearable” conditions in their holding cell in Bayil Prison. According to the suit, over 30 prisoners are being kept in a prison cell that has only 24 beds, the cell has not been disinfected in two months and linens and pillows are not changed, the sheets have blackened from dirt and there is a terrible odor. Taking into consideration the Justice Ministry’s “Prison Facility’s Internal Discipline Rules,” Agazadeh and Kebirli are seeking to have their prison cell brought into accordance with these rules or to be transferred to a different cell. They are also asking for 100,000 AZN in compensation for damages caused to them.



“MUXALIFET” CORRESPONDENT YASHAR AGAZADEH has been serving a 2.5 year prison sentence since 16 May 2007. The Yasamal District Court adopted a decision to imprison Agazadeh on the basis of a criminal lawsuit put forth by Parliamentarian Jalel Aliyev and AMAY Company. This case was based article 147 (libel) and 148 (defamation) of Azerbaijan’s Criminal Code, and stemmed from the article “AMAY is Aliyev family’s sign,” which was written by Agazadeh and published in Muxalifet Newspaper on 27 February 2007. Specifically, J. Aliyev instituted this case over a sentence which reads, “Jalel Aliyev is the head of the cycle of bribery in Azerbaijan.” Agazadeh cited the information in his article from the 10 April 2006 edition of “Bu Gun” Turkish newspaper. The Appellate Court is currently considering this case. In addition, Agazadeh, with his fellow imprisoned colleague Rovshan Kebirli, have filed a lawsuit

against the Justice Ministry due to the “unbearable” conditions in their holding cell in Bayil Prison. According to the suit, over 30 prisoners are being kept in a prison cell that has only 24 beds, the cell has not been disinfected in two months and linens and pillows are not changed, the sheets have blackened from dirt and there is a terrible odor. Taking into consideration the Justice Ministry’s “Prison Facility’s Internal Discipline Rules,” Agazadeh and Kebirli are seeking to have their prison cell brought into accordance with these rules or to be transferred to a different cell. They are also asking for 100,000 AZN in compensation for damages caused to them.



“SENET” NEWSPAPER CHIEF EDITOR SAMIR SADEGETOGLU is serving a four-year prison sentence since 4 May 2007. The Sabail Court found Sadagetoglu guilty of inciting religious hatred through publication of the article “Europe and Us” in Senet Newspaper. The article alleges that Christianity is superior to Islam. Sadagetoglu was not even working during production of the edition of “Senet” Newspaper in which “Europe and Us” was published, but rather visiting an ill relative in a distant southern region. Prior to receiving his sentence Sadagetoglu had been kept in pretrial detention since Nov. 15, 2006. The Appellate Court upheld this verdict on July 6, and the Supreme Court hearing on this case, which was originally scheduled for 13 November, is expected to take place in the near future.



“SENET” NEWSPAPER WRITER RAFIK TAGI has been serving a three-year prison sentence since 4 May 2007. The Sabail Court found him guilty of inciting religious hatred by writing the article “Europe and Us,” which alleged Christianity is superior to Islam, and then having it published in Senet Newspaper. Prior to receiving his sentence, Tagi had been kept in pretrial detention since Nov. 15, 2006. The Appellate Court upheld this verdict on July 6, and the Supreme Court hearing on this case, which was originally scheduled for 13 November, is expected to take place in the near future.



“NOTA BENE” CORRESPONDENT FARAMEZ ALLAHVERDIYEV (NOVRUZOGLU) has been serving a 2.5 year prison sentence since 30 January 2007, on charges of libel and insult put forth by Minister of Interior Ramil Usubov and Chairman of the Committee to Work with Azerbaijan’s Diaspora Nazim Ibrahimov due to the articles “Campaign of power broker to Nakhchivan” and “New Blackmail campaign of Ramil Usubov,” which Novruzolgu wrote. The first article read that scandalous material about the love affairs of Nakhchivan’s head Vasif Talibov demonstrated by Turkish TV Channel “Kanal D” were organized by the head of the President’s administration Ramiz Mehdiyev, with active participation Nazim Ibrahimov. In the second article, Novruzoglu wrote about the insincerity of Interior Minister Ramil Usubov toward Heydar Aliyev. Novruzoglu had surgery immediately before he was imprisoned and has had numerous and severe health problems in connection with this, including problems with the healing of his incision wound. The Appellate Court (April 13) and Supreme Court (November 13) have both upheld this verdict. The case will now be sent to the European Court of Human Rights.



“IDEAL” NEWSPAPER CHIEF EDITOR NAZIM GULIYEV has been serving a 2.5 year prison sentence since 6 November 2007. The Chief Editor was imprisoned due to the articles “Prices go up in Chief State Police Department” which was published in “Ideal” Newspaper on 26 May 2007, and “Chief State Police know who is boss,” published in “Ideal” on 29 August 2007. These articles, written not Guliyev but another employee Aydin Jamiyev, giving commentary on corruption in the police system.

2 JOURNALISTS IN PRE-TRIAL DETENTION



“AZADLIG” NEWSPAPER EDITOR-IN-CHIEF GANIMAT ZAHID was detained on 10 November 2007 on charges of hooliganism and inflicting minor bodily harm. The charges stem from a 7 November dispute in front of “Azerbaijan” Publishing House in which one woman accused Zahid of insulting her, and a conflict subsequently broke out between Zahid and a man named Vusal Hasanov, who was accompanying the woman. Hasanov has a history of provocation, he previously portrayed himself as a member of the opposition party Popular Front, and then, in the run-up the 2005 parliamentary elections, went on national TV and severely criticized the party and its leader. Zahid reported this incident to the press, and immediately assessed the incident as provocation. He denies any wrongdoing, and says it was him who was in fact the victim of the attack. One day after

Zahid’s detainment, on 11 November 2007, a Sunday, at 8 p.m. an extraordinary court hearing was conducted in which Zahid was sentenced to two months of pre-trial detention. This decision has sparked worldwide condemnation, and many people feel that the government is trying to silence “Azadlig” Newspaper. V. Hasanov has also been detained in connection with this case.

*Ganimat Zahid, is also known by the name Ganimat Zahidov.

(Watch on YouTube: <http://www.youtube.com/watch?v=6IHLDYSoKAo>)



“BIZIM YOL” CORRESPONDENT MUSHFIG HUSEYNOV was arrested on 24 July 2007 for allegedly taking a 3,500 USD bribe from Ministry of Labor and Social Defense Administration Director Rizvan Aliyev. Then, on 26 July 2007, in the Nasimi District Court, Judge Gulnara Tagizadeh adopted a decision to sentence the journalist to three months of pre-trial detention. This detention was extended an additional three months in a covert hearing conducted on 19 October 2007. Prior to Mushfig Huseynov’s arrest, in the 14 June 2007 edition of “Bizim Yol” Newspaper an article entitled “Provocation against Bizim Yol Uncovered” was published. The article alleged that Azerbaijan’s Labor and Social Defense Ministry was devising a plot to ensnare Bizim Yol Social-Economic Editor Mushfig Huseynov. Huseynov had been writing a series of investigative journalist pieces about alleged criminal activities of Labor and Social Defense Minister Fizuli Alekberov and his colleagues, including Rizvan

Aliyev, at the time of his arrest. On 1 August 2007 all local TV channels broadcast a special video montage of the operation to arrest “Bizim Yol” Newspaper correspondent M. Huseynov. The montage included footage of M. Huseynov allegedly demanding a bribe in Ministry of Labor and Social Defense Administration Director Rizvan Aliyev’s office and then Huseynov taking money from Aliyev in the “Kurd Gapsi” Restaurant are shown. Huseynov can be seen putting money in his pocket, however it is not clear in the footage why Huseynov has taken the money. In the footage, the moderator refers to Huseynov as a criminal without any court verdict on this case, violating the journalist’s right to presumption of innocence and decreasing his chances of getting a fair trial. The investigation into Huseynov’s case continues, however initial results suggest that the journalist is the victim of government

entrapment. Huseynov appears to have been strategically arrested right after Azerbaijan National Press Day (July 22), a time when many local and international organizations were calling for the government release all of Azerbaijan's wrongfully imprisoned journalists. Instead, it seems Huseynov became the sacrificial lamb to silence these demands.

(Watch on YouTube: <http://www.youtube.com/watch?v=c26Vlj0djaw>)



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