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<http://www.rsf.org/azerbaijan-election-will-not-be-credible-08-10-2013,45301.html>

Europe/Ex-USSR - Azerbaijan

Joint press release

Election will not be credible unless people are free to criticise the government

8 October 2013

In a joint call issued today on the eve of the Presidential election, 22 human right organisations and press freedom campaigners warn that the failure of the government of Azerbaijan to respect human rights, including freedom of expression, undermines the democratic legitimacy of the government. Azerbaijan should take immediate action to ensure fundamental rights are protected ahead of the election, including by releasing journalists, political activists and human rights defenders, to ensure the election is free and fair.

Organisations including the International Partnership Group for Azerbaijan, the Civic Solidarity Platform and ARTICLE 19 and local organisations including the Institute for Reporters' Freedom and Safety, Human Rights Club, Media Rights Institute and Center for National and International Studies are deeply concerned that there is an increasingly restrictive environment in the country for the media and people who express political opposition.

The undersigned organisations call on the Azerbaijani government to:

- Immediately release all journalists, political activists and human rights defenders that have been jailed as a result of speaking out about legitimate concerns regarding matters of public importance.
- Review and revise legislation introduced over the last year - concerning the right to convene public assemblies, defamation, and the regulation of civil society organisations - and to bring them in line with international human right standards.
- Ensure that the country complies with its obligations to respect fundamental human rights under international law, including the rights to freedom of expression, assembly and association.

"Presidential elections in Azerbaijan will not be credible unless people who are critical of the regime are released from prison, key legislation on free speech and the right to demonstrate meets international human rights standards," said Thomas Hughes, ARTICLE 19 Executive Director. "Over recent months we've witnessed the imprisonment and harassment of opposition leaders and their families and a sustained pressure on journalists and media organisations that report critically of the government. It's absolutely clear that the authorities in Azerbaijan are preventing people from speaking freely. This seriously undermines democratic elections," said Hughes.

"Azerbaijan is currently Chair of the UN's Security Council and will soon Chair the Council of Europe in November. Azerbaijan cannot hold its head high on the international stage whilst ignoring its international obligations to protect basic human rights at home," he added.

Harassment of Opposition

Since the beginning of 2013, there has been an intensified crackdown against people who have expressed political opposition or voiced criticism of those in power in Azerbaijan.

"The Azerbaijani government is repeatedly violating civil and political rights of the Azerbaijani people, including human rights defenders and opposition leaders. Intimidation, slander and violence against those that dare to exercise their basic rights as well as their relatives, is part of daily life for those brave people. Despite that, the international community treats Azerbaijan in a much better way than other comparable regimes. It is time for the EU-leaders and others

to take a firm stance and speak out against human rights abuses in Azerbaijan," said Robert Hårdh, Executive Director at Civil Rights Defenders.

There are a large number of cases throughout 2013 that clearly demonstrate the extent to which political debate is being hampered by organs of state through means of harassment, prosecution and detention. Recent cases include:

- **Turqel Kerimli** was arrested on 23 September 2013 and sentenced to 25 days in prison on charges of not complying with police orders. He is the son of the leader of the Popular Front opposition party, Ali Kerimli. Another two men arrested with him, Ulvi Nuriyev and Joshgun Salayev, received 25 and 30 days in prison respectively. All three were reportedly looking at campaign material when they were arrested. Ali Kerimli has already spoken out to express his belief that his son was targeted as a result of the Popular Front leader's political activities.
- **Ali Gulaliyev** was attacked and stabbed on 23 September 2013 by unidentified attackers. He is the son of Azerbaijani opposition figure Oqtay Gulaliyev (spokesperson for the oppositional presidential candidate Jamil Hasanli). Despite confirming the details of the case, an Interior Ministry spokesperson denied the attack had underlying political motives. Gulaliyev himself was arrested in April 2012 on spurious charges of hooliganism. While Gulaliyev was released after two months and the case did not come to trial, the charges continue to stand.
- Two opposition leaders **Ilgar Mammadov** (Chairman of the REAL movement) and **Tofiq Yaqublu** (Deputy Chairman of the Musavat Party), are currently behind bars after being arrested in February 2013 for inciting riots in the town of Ismayilli the previous month. It is widely believed that their arrests are politically motivated, preventing Mammadov's potential participation in the Presidential election. He now faces 12 years in prison.
- Between March and July 2013, youth activists primarily associated with opposition movements N!DA, the REAL movement and the Free Youth movement were arrested and detained on charges that include drug and gun possession, hooliganism and not obeying police orders. While some were sentenced to administrative detention and later released, seven of the N!DA activists, including **Rashadat Akhundov, Uzeyir Mammadov, Rashad Huseynov, Zaur Gurbanli** and **Ilkin Rustamzade** remain in detention.

Crackdown on Oppositional and Critical Media

Media freedom in Azerbaijan has been a long standing concern for human rights defenders. A healthy democracy requires a free and independent media that is able to provide information and facilitate open debate about matters of public importance. Throughout 2013, the Azerbaijani authorities continued to persecute journalists and put pressure on media organisations that express criticism or question the policies or actions of those in power.

"Journalists and bloggers are among several key groups that have been harassed and threatened in the run up to the presidential election. The already alarming freedom of expression situation in the country became even direr when the authorities introduced the Internet defamation bill, which appears to be a tactic to silence critics online," said Emin Huseynov, Chairman of the Baku based Institute for Reporters' Freedom and Safety (IRFS).

"We see an extensive campaign against independent and dissident voices, using methods of personal vilification. This included accusations of serious and organized crimes like in the case of Parviz Hashimli, in addition to the spread of misinformation about critical individuals, broadcast through the country's state-controlled media network," Huseynov added.

IRFS estimate that there are currently 10 journalists, 3 bloggers and 2 human rights defenders behind bars. They include:

- **Hilal Mammadov** (editor of the newspaper *Tolyshi Sado*), was sentenced to 5 years in prison on 25 September 2013 on charges of possessing illegal drugs, treason and ethnic hatred. Arrested on 21 June 2012 and after being subjected to a long period of pre-trial detention his trial was largely carried out behind closed doors.
- **Parviz Hashimli** (journalist for *BizimYol* (Our Way) newspaper and editor of Moderator.az news site) was arrested on 17 September 2013 on charges of smuggling and illegal possession of firearms. Parviz is also the chairman of the Centre for Protection of Political and Civil Rights. He was sentenced to two month pre-trial detention and is awaiting trial.

- **Avaz Zeynalli** (editor of *Xural* newspaper, one of the few independent newspaper in Azerbaijan) was sentenced to nine years in prison in April 2013 on charges of extortion. Zeynalli had already spent a year and a half in pre-trial detention since his arrest in Dec 2011. The charges are widely believed to be politically motivated and the trial failed to provide clear evidence of his guilty. Zeynalli's accuser, an Azerbaijani MP, was arrested in separate allegations of corruption. *Xural* newspaper was closed shortly after Zeynalli's arrest.

On 02 October 2013, **Mehman Huseynov**, a prominent photo-journalist affiliated with IRFS, was detained by police in connection with a satirical video he posted online the previous day, based on the film 300, which used quotes from the televised Presidential election debate. He was released after three hours, after which Huseynov gave an interview stating that police had told him to 'behave' and 'slow down' his pre-election activities online.

"Azerbaijani authorities target and punish individuals for the information they put on social media, but disguise the censorship with false charges of possession of arms or drugs and use the courts politically to sentence people to long-term imprisonments," said Maria Dahle from Human Rights House Foundation. On 1 October 2013, the Baku-based Human Rights Club released a new list of political prisoners in Azerbaijan. The list outlines cases of 142 persons who are currently in detention or imprisoned for politically motivated reasons.

"The state of freedom of information in Azerbaijan was already appalling. On the eve of the presidential election, it has become critical. Arrests of journalists, intimidation attempts of any kind, the frequent jamming of opposition media, the release of an official blacklist of personae non grata in Azerbaijan, have marked an all-out offensive against dissent," said Christophe Deloire, Secretary General of Reporters without Borders.

Signed by:

- ARTICLE 19
- The Barys Zvozkau Belarusian Human Rights House
- Center for National and International Studies (CNIS), Baku, Azerbaijan
- Civil Rights Defenders
- Free Press Unlimited
- Helsinki Foundation for Human Rights (Poland)
- Human Rights Club (Azerbaijan)
- Human Rights House Foundation
- Index on Censorship
- Institute for Reporters' Freedom and Safety (Azerbaijan)
- International Partnership for Human Rights (Belgium)
- Kazakhstan International Bureau for Human Rights
- Legal Transformation Centre (Belarus)
- Media Diversity Institute
- Media Rights Institute (Azerbaijan)
- Moscow Helsinki Group
- Norwegian Helsinki Committee
- Open Society Foundations
- PEN International
- People in Need (Czech Republic)
- Public Verdict Foundation
- Reporters without Borders

(Photo: AFP photo / Tofik Babayev)
