

PRESS RELEASE

5 November 2007
Baku, Azerbaijan

FEMALE JOURNALIST ONCE AGAIN HARASSED IN NAKHCHIVAN

On 4 November, during a protest action being conducted in Nakhchivan city, in Azerbaijan's Autonomous Republic of Nakhchivan, "Turan" News Agency and "Radio Liberty" correspondent Melehet Nasibova was harassed by police. Nasibova told the Institute for Reporters' Freedom and Safety that while she was covering the protest, she was insulted by Nakhchivan City Police Department Deputy Chief Ashat Ibrahimov. Ibrahimov tried to confiscate Nasibova's dictaphone, threatening to arrest Nasibova and saying "You eat Nakhchivan's bread, but then you speak out against Nakhchivan."

Recall that on 22 October, while carrying out her professional duty, Nasibova was harassed and persecuted by police in the Nakhchivan airport. She was reporting on a pile-up of 1,500 people waiting to fly from Nakhchivan to Baku, when two security soldiers approached her and tried to confiscate her photo camera and dictaphone. The soldiers also forbid her from interviewing people waiting for a flight. One elderly man who insisted on speaking to Nasibova was hit by the soldiers.

COMMITTEE AGAINST TORTURE CHAIRMAN MEETS WITH EYNULLA FATULLAYEV

"Eynulla Fatullayev does not believe he is guilty. He believes that people who commit murder get eight years in prison. At the same time, he has been sentenced to eight years in prison, which shows the court's biased stance against him." These words Fatullayev said to Chairman of the Committee Against Torture Elchin Behbudov, when Behbudov met with Fatullayev on November 3 in the Ministry of National Security's pre-trial isolator.

TRIAL ON AMAY'S LAWSUIT AGAINST "KHURAL" POSTPONED

Today in the Narimanov District Court, under the chairmanship of Judge Sevinj Aliyeva, the hearing on "AMAY" Open Joint Company's lawsuit against "Khural" Newspaper was not held. This was because no one came to court on behalf of the plaintiff. The next hearing on this case has been scheduled for 23 November at 4 p.m.

Recall that "AMAY" Joint Stock Company Executive Director N. Abazarov filed a civil lawsuit on 21 May 2007 against "Khural" Newspaper's editorial office in the Narimanov Court and demanded that the editorial office pay a 1 million AZN. The reason for Abazarov's lawsuit was the article "AMAY's Adullas arrested," published in the 17-23 September 2006 edition of "Khural" Newspaper.

SAKIT ZAHIDOV'S CASE SENT TO EUROPEAN COURT OF HUMAN RIGHTS

At the end of last week an appeal was sent to the European Court of Human Rights to review the case of "Azadlig" Newspaper atiric/Journalist Sakit Zahidov (Mirza Sakit). Zahidov's brother, "Azadlig" Newspaper Chief Editor Genimet Zahid. In the appeal it is noted the Zahidov was illegally imprisoned.

Recall that Sakit Zahidov was arrested on 23 June 2006 and convicted on a bogus charge of possession of drugs. He is currently serving a three year prison sentence, following a trial that was widely criticized by the international community as not meeting international standards.

TIME FOR COURT TRIAL APPOINTED

The time for the trial on the criminal case instituted against "Khural" Newspaper Chief Editor Avez Zeynalli for translating the book "Mein Kampf" into Azerbaijani has been appointed. The preliminary hearing on

this case will take place tomorrow at noon in the Narimanov District Court, under the chairmanship of Judge Turgay Huseynov.

Recall that Zeynalli is being charged with violating article 283.1 of Azerbaijan's Criminal Code (incitement of religious, national and/or ethnic hatred), due to his translation and publication of Adolph Hitler's biography *Mein Kampf*. On October 10 he was called to the National Security Ministry to be familiarized with some of the case materials. In lieu of pre-trial detention Zeynalli signed an oath not to leave the city of Baku. On October 30 the investigation into this case was concluded and all materials were sent to the Narimanov District Court.

This was originally instituted in December 2004, due to a complaint from the "Community of Azerbaijan Mountainous Jews" due to the translation of "Mein Kampf" and its publication in the newspaper, however the case was thrown out in February 2005 due to failure to prove that a crime was committed. Then on 7 May of this year the National Security Ministry conducted a search in Khural Newspaper's editorial office due to the reprinting of this book and the paper's chief editor was interrogated by police. And in August of this year the criminal case against Zeynalli was reopened by the Prosecutor General. Zeynalli was again interrogated in connection with this case on 8 August 2007, after Rustam Usubov, first deputy to the Prosecutor General, reopened the 2004 case on 6 August 2007.

JOURNALISTS INSULTED

Sumgayit State University's deputy director insulted an employee of "Baki Zaman" Newspaper this past Saturday. An article about this incident was published in today's edition of "Baki Zaman." According to the article, a group of students from Sumgayit State University appeal to "Baki Zaman" Newspaper to investigate alleged bribery and tyranny in their university. In connection with this, "Baki Zaman" correspondent Elchin Hasanov wanted to meet with someone from the university's leadership to learn their opinion about this. First Hasanov tried to meet with the director, but when that didn't work out he succeeded in getting a meeting with Deputy Director Mammed Ahmedov. During this meeting however, Ahmedov proceeded to insult Hasanov. Ahmedov accused the journalist of writing anything he wants. Then the deputy director went on to say, "The only people who read these things are the people who write them themselves. Let them write whatever they want. We have never given any significance to what they write before and we won't ever. Whoever said that is crazy, along with you. You can say to them, go find a profession to fix yourself. Go work." Then the deputy director proceeded to insult Hasanov, who was carrying out his professional duty as a journalist. "My shoes are worth more than you," he said. "Who are you that I have to give you a report?! Go, write whatever you want. You won't be able to achieve anything. We have the leader of the state behind us. Your writings are a crime against the state."

To confirm this incident, IRFS contacted Baki Zaman Newspaper. Chief Editor Elnur Maharramli confirmed that such an incident occurred.

PLAINTIFF REFUSES TO RECONCILE

Today in the Yasamal District Court, under the chairmanship of Judge Ragib Gubanov, a hearing on Baku City Road Police Department Deputy Chief Gafar Abbasov's lawsuit against "Azadlig" Newspaper was conducted. Prior to this, on 23 October, a hearing on this case schedule where reconciliation between these two, but the hearing did not take place. In today's hearing however, Abbasov's representative Intigam Hasanov, said that because the source for the "Azadlig" article was not revealed, his client had decided not to reconcile with the paper. "I believe that that the person who wrote this article cannot prove that it is true. This article did damage the honor and dignity of my client."

Lawyer Elchin Sadigov, who is defending "Azadlig" Newspaper said that Abbasov demands that the source of the article be revealed, this however is not possible. There is no obligation to reveal a source, Sadigov said. Sadigov also said that that plaintiff can in no way prove that any moral damage was incurred as a result of the "Azadlig" Newspaper article. Sadigov then asked the court to dismiss this case. Sadigov also asked that the plaintiff's request that the source of the article be revealed be noted in the court transcript. The next hearing on this case has been scheduled for 9 a.m. on November 7.

Recall that Abbasov's lawsuit stems from Azadlig Newspaper's 17 May 2007 article "Oligarch Cop." In this article it was alleged that a Baku Road Police Office Department head by the name of Gafar Aliyev was a relative of Minister of Interior Ramil Usubov and was misusing his authority to build a high-rise

building. Abbasov works in the same position that is referred to in the Azadlig article, although his last name is not Aliyev.

***When using this material please attribute it to the Institute for Reporters' Freedom and Safety.**

Institute for Reporters' Freedom and Safety (IRFS)
Address: 8 R. Behbudov St., Apt. 85/86, Baku, Azerbaijan
Tel: (+99 412) 418-0334, E-mail: irfs.az@gmail.com
Website: www.irfs.az, Skype: irfs.az