

To: Mr. Ilham Aliyev
President of Azerbaijan

23 September 2010
Vilnius, Lithuania

Call upon Azerbaijan to Secure Freedom of Expression and Protect Human Rights Defenders and Journalists

We, the participants of the 2010 HRHN Annual Meeting, urge the President of Azerbaijan to protect and secure freedom of expression, release the imprisoned journalists and bloggers, and bring the legislation in line with the international standards.

Since 2003, the HRHN has observed the deterioration of the situation for freedom of expression in Azerbaijan. Critical voices face persecution by the authorities. The new restrictions to assembly and association, the use of criminal defamation provisions to imprison journalists, the abuse of the criminal law charging critical voices of hooliganism or drug possession are some of the methods employed to silence the critical voices in Azerbaijan. These trends are also underlined in the country visit report of Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, of June 2010.

Important and longstanding radio channels broadcasting independent information in Azerbaijani, such as Radio Free Europe/Radio Liberty, Voice of America and the BBC, lost their license to broadcast on their normal FM frequencies in January 2009. As of today, those responsible for the killing of editor Elmar Huseynov in 2005 have yet to be brought to justice. The bloggers Adnan Hajizade and Emin Abdullaev (Milli), sentenced in November 2009 to two and two and a half years imprisonment on charges of hooliganism, remain behind bars. At its July 2009 session, the United Nations (UN) Human Rights Committee expressed its concern with "the <...> arrest and detention on remand of individuals who had expressed opinions in non-conventional media".

Moreover, Eynulla Fatullayev, the imprisoned editor in chief of *Realny Azerbaijan* and *Gündəlik Azərbaycan* newspapers, remains in prison, despite the April 2010 ruling of the European Court of Human Rights urging the Azerbaijani authorities to release the applicant immediately. The Court concluded that Eynulla Fatullayev's right to fair trial and freedom of expression were violated. We regret that despite the appeals for release by international institutions and organisations, including two appeals (23 April 2010 and 6 July 2010) by the Human Rights House Network, on 6 July 2010 the editor was sentenced to two years and six months imprisonment on charges of drug possession. The sentence is seen as politically motivated and the evidence brought up in court as fabricated.

As a consequence of impunity and the ongoing persecutions, self-censorship is becoming more prevalent: journalists and human rights defenders face difficulties of access to objective information, they are forced to stop their important work.

In consideration of the above, the HRHN Annual Meeting participants urge the Azerbaijani authorities:



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- to fulfil their commitments to ensure freedom of expression, to take into consideration human rights concerns, and to take immediate and concrete steps to create an environment conducive to freedom of expression in Azerbaijan, including the run up and aftermath of the parliamentary elections;
- to investigate all cases of violence and threats of violence against human rights defenders and journalists, including the murder of the editor Elmar Huseynov, and bring the responsible to justice;
- to decriminalise defamation and immediately release Ruslan Bashirli, Eynulla Fatullayev, Adnan Hajizade and Emin Milli;
- to fully comply with the rulings of ECHR, including the recent judgment of the court regarding Eynulla Fatullayev;
- to implement the Concluding Observation of the UN Committee on Human Rights (August 2009) and the UN Committee against Torture (November 2009), and the recommendations of the Resolution Doc 12270 of the Parliamentary Assembly of Council of Europe (June 2010);
- take effective measures to ensure that the Ombudsman's office is an independent and functioning national institution responsible for investigating complaints of torture and other human rights violations in accordance with the Paris Principles.
- to comply with all the provisions of the United Nations Declaration on Human Rights Defenders.

Participants of the Human Rights House Network Annual Meeting

The Human Rights House Network (HRHN) is a forum of cooperation between established and emerging Human Rights Houses, uniting 70 NGOs in 15 countries. HRHN's aim is to protect, strengthen and support human rights defenders and their organisations.