

PRESS FREEDOM IN AZERBAIJAN



Institute for Reporters' Freedom and Safety

Annual Report – 2009

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FOREWORD

Problems related to Azerbaijan's press and independent mass media remained unsolved during 2009. There were journalists who passed away, physical and psychological attacks on journalists, and journalist arrests in 2009.

The executors and people behind the murder of *Monitor* Journal Editor-in-chief Elmar Huseynov have not been found to this day. E.Huseynov was murdered in 2005. The indifference of Azerbaijan's administration to countless calls from civil society to erect a monument in honor of Elmar Huseynov reveals the negative attitude of the government towards him. As a result, there's no improvement in the investigation being conducted into the journalist's murder. The Republic of Azerbaijan National Security Ministry has been giving standard answers in connection with the investigation into Huseynov's death. A representative from the NSM recently stated "The search for Georgian citizens who are suspected in the killing of Elmar Huseynov continues."

Despite calls from local and international organizations, the government did not realize the decriminalization of defamation. As a consequence, journalists were convicted for articles 147 (libel) and 148 (insult), which oversee the imprisonment of journalists, and were thrown into jail.

Attacks against independent media took its start from the beginning of the year. The broadcasting of three foreign radio stations – Radio Liberty, VOA and BBC via local FM frequencies were shut down on 1 January because of the government's intolerance for freedom of speech.

At the end of the year a drug provocation was exercised against imprisoned editor-in-chief of *Gundalik Azerbaijan and Realniy Azerbaijan newspapers*.

On 17 August 2009, *Tolishi Sado* (Voice of Talysh) Newspaper Editor-in-chief, 68 year old Novruzali Mammadov died in the Justice Ministry Penitentiary Services' Central Hospital due to a failure to provide him with necessary treatment by authorities. Another journalist – Mushfig Huseynov, who suffers from severe form of TB, would have faced the same fate had he not been released under a presidential pardon decree in December.

Since 2009 was the year of municipality elections, the government employed all means to undermine the role of independent mass media. Changes and amendments made to the Constitution and other legislative acts served to restrict the work of media.

Although Azerbaijani government claims that there are 1300 newspapers in the country, about ten opposition newspapers are published in Azerbaijan. The circulation of these newspapers does not even secure access to information for 1% of population. The TV and Radio sector remains under de facto governmental supervision.

SITUATION OF ELECTRONIC MEDIA

The Azerbaijani government's de facto monopoly over the TV and Radio sector is intended to deliver one-sided information to the public. For this reason, as of January 1 the broadcasting of three foreign radio stations – Radio Liberty, VOA and BBC via local FM frequencies were shut down. The administration ignored statements of local and international organizations. Consequently, it did not renew the licenses of these radios and prevented the independent media beyond the government's influence to reach their audiences. At present these radio broadcasters may be listened to via internet, cable and shortwave radio (for an hour between 8:00 p.m. and 9:00 p.m. as it was during cold war). Many of the listeners do not have possibility to listen to these media outlets via these means.

On the same day the broadcast of “Avropa-Baki” radio was shut down for allegedly broadcasting most of its programs in a foreign language –Russian. This was considered contrary to legislation.

As noted above, all TV channels operating in Azerbaijan are controlled by the administration. The Institute for Reporters' Freedom and Safety (IRFS) has been monitoring the 8 TV channels –AzTV, Lider, ANS, Azad Azerbaijan (ATV), Space, Khazar, Public TV (ITV) and Idman-Azerbaijan (Sport Azerbaijan) – within the framework of “Free Airwaves” project. Findings show that there's no pluralism of opinions or political pluralism on any TV channels, and they do not adhere to accuracy and balancing. IRFS prepared individual reports within the framework of the project (see: tv-radio.az).

It should be specifically noted that none of the TV channels, except for Public TV, allocated paid air time for candidates during the 2009 municipal elections, or programs and talk-shows dedicated to discussions on elections among the candidates. Excluding Public TV, AzTV and Space TV, none of the TV channels broadcast social advertisements about the elections. TV channels did not allocate coverage to paid or free advertising of any party or candidates. The ruling YAP party received excessive coverage compared to other participating parties. Most of the TV channels did not air at all other parties or party representatives participating in the elections. TV channels stopped short by providing general information about municipal elections during news programs.

Although AzTV became the Closed Shareholder Society in 2005, **AzTV** is still financed by the state budget – by tax money of citizens. However, this channel went on to campaign for the ruling YAP-Yeni Azerbaijan Party (New Azerbaijan Party). Other parties participating in the elections received little coverage; opposition parties received little or no coverage.

As it has been previously, National TV and Radio Council (NTRC) keeps violating legislation by holding the frequencies secret from the public. Article 16.5 of Law on TV and Radio Broadcasting states: “*Relevant executive administration organ and the organ conducting the tender should publish the frequency list in mass media.*” However, this list was never published in the media, and broadcast licenses were given to organs loyal to the government through transparent tenders and unofficial agreements among ruling circles.

As of 1 January, new state owned “Idman Azerbaijan” TV (in fact, new state TV channel) began operation under AzTV. On 5 February new regional TV – EITV began to operate in Yevlakh. On 10 February new “Media FM” radio was launched in Azerbaijan’s radio sector. Besides this, on 5 March new “ATV International (this channel belong to Azad Azerbaijan Tv channel) was granted six year agreement (license) without tender, and the channel began operating on 5 October. (see: table 5).

IMPRISONED JOURNALISTS

Azadlig newspaper satiric/journalist Sakit Zahidov and *Ideal* newspaper editor-in-chief Ali Hasanov were freed through the amnesty act signed in March, and *Bizim Yol* newspaper correspondent was released by a presidential pardon decree signed on 25 December; however, the number of imprisoned journalists was on the rise in 2009.

Azadlig newspaper editor-in-chief Ganimat Zahid and Gundali Azerbaijan and Realniy Azerbaijan newspapers’ editor-in-chief Eynulla Fatullayev remained imprisoned. Nota newspaper editr-in-chief Sardar Alibeyli, former adviser of Nota newspaper Faramaz Novruzoglu (Allahverdiyev) and youth bloggers Emin Milli (Abdullayev) and Adnan Hajizade (who were engaged in civil journalism) were added to the list. On 7 April Asif Marzili was sentenced to one year imprisonment over charges under articles 147.2 and 148 of the Criminal Code. However, he was freed two days later when the Appellate Court annulled the decision of the first instance court after the President of the country expressed his stance on the issue. (**See: table 1**)

JOURNALIST DEATH

On 17 August 2009, *Tolishi Sado* newspaper 68 year old editor-in-chief Novruzali Mammadov died mysteriously in the Justice Ministry Penitentiary Services’ Central Hospital due to negligence to provide him with necessary medical assistance. Since the government did not investigate the reason of this death comprehensively, no one was held responsible for it. IRFS appealed to the government to conduct a parallel investigation into this death case; however, conditions to investigate this issue were never secured and in fact the government tried to disguise this death.

On 18 January N. Mammadov was put in “solitary confinement” in Prison #15 and as a result he developed serious health problems. Then he appealed to court, and in March of this year, the court fulfilled his claim and issued a decision to immediately transfer him to a medical facility. However, the prison leadership ignored the court’s decision and N. Mammadov’s health deteriorated. On 28 July N.Mammadov health became critical and he was transferred to the Justice Ministry’s Penitentiary Services Central Hospital. However, the journalist was not given the required treatment there either. Considering the seriousness of Mammadov’s health problems, local organizations called for the editor-in-chief to be placed in a civilian hospital, and to invite a medical consultant expert via the Council of Europe to see him. However, this was not permitted.

“Tolishi Sado” Newspaper Editor-in-chief N.Mammadov’s relatives - wife Maryam Mammadova and son Emil Mammadov filed a lawsuit against the Finance Ministry, the Justice Ministry’s Penitentiary Services, the Chief Medical Office of the Justice Ministry, Prison #15 and the Penitentiary Service’s Treatment Facility for the journalist’s death. The lawsuit was not fulfilled.

This heartbreaking incident proved once again that the lives of imprisoned journalists are in danger at any given moment. The appeals of *Bizim Yol* newspaper correspondent Mushfig Huseynov, were never fulfilled. On 14 October, M.Huseynov was transferred from prison #2 to the Penitentiary Services Specialized Treatment Facility for Tuberculosis Prisoners because his health deteriorated seriously. If Huseynov had not been released in December, he would have faced the same fate as N.Mammadov.

SITUATION OF FREEDOM OF SPEECH

Despite continuous calls to decriminalize defamation, the issue remains unsolved as a result of the indifferent attitude of Azerbaijan's government. Therefore, journalists are face to face with the danger of being put behind bars.

The number of journalists who were subject to verdicts under defamation articles rose. Project head of *Fanat.az* website Zahir Azamat was sentenced to six months corrective labor and sport writer Natig Mukhtarli was sentenced to one year corrective labor. Ramiz Tagiyev was sentenced to six months corrective labor due to his articles in *Nota* newspaper.

The dependence Azerbaijani courts have on the government makes them adopt politically motivated verdicts. As a result of this, most of the time lawsuits against journalists are fulfilled, and lawsuits that journalists file are not fulfilled or are simply rejected. (**See: table 3**)

In addition, lawsuits filed in connection with inactivity of state organs (not responding to information inquiry, not registering public unions and so on.) were usually solved in favor of the defendants. (**See: table 5**)

There have been incidents where individuals were involved in court trials. Human rights defender Leyla Yunus Head of 21st Century Education Center Etibar Aliyev is an example. (**See: table 1**)

The dire situation of freedom of speech was obvious after the 18 March Referendum. Press conference and media centers failed to provide space for propaganda groups created by opposition like "For Karabakh and Republic" and "Republicans" that wanted to hold a press conference on the results of the Referendum. These groups had to hold their conferences in the press center of IRFS. The same situation took place after 2008 presidential elections and opposition forces, who boycotted the elections, and were forced to hold their press conferences in the press center of IRFS.

The economic situation of independent media remained dire. The publications that write critical articles are unofficially deprived from the right to advertisements and this creates financial obstacles for the independent and opposition media outlets. The newspapers were forced to increase sale prices as a result of this situation. In turn, this decreased the number of the readers. Therefore *Azadlig* newspaper (circulation – 6500) and *Yeni Musavat* newspaper (circulation 12000) are believed to be the country's most circulated newspapers.

THREATS, PRESSURE AND PROVOCATION AGAINST JOURNALISTS

2009 was no exception for journalists being convicted over trumped-up charges. Although the case opened against "Korrupsiya ve Jamiyyat" (Corruption and Society) Journal Mubariz Masimoglu under article 221.2 (hooliganism) of the Criminal Code was thrown out, *Yeni Musavat* newspaper column writer, *Khalg* newspaper's former editor-in-chief Mahal (Sadigov) Ismayiloglu was sentenced to two years conditional imprisonment under article 221.3 (hooliganism with use of a weapon or weapon-like item) of the Criminal Code. Besides, youth bloggers Adnan Hajizade and Emin Milli were slandered and imprisoned for placing a critical video footage on the internet. (See:table1).

As it was during previous years, people hindering journalists' work and using pressure and harassment against journalists acted with impunity in 2009. For instance, on 22 June Institute for Reporters' Freedom and Safety researcher Rasim Aliyev and "Janub Khaberler" Newspaper correspondent Parviz Azimov were investigating Azimov's expulsion from Lankaran State University (LSU) when a guard from the university confronted them in the yard of the university compound, insulted them, pushed them and struck the Nikon D90 photo camera that Aliyev was holding in his hand, breaking it.

In addition, on 8 October, the Editor-in-chief of "Milli Yol" Newspaper and Poligon Information Agency (PIA.AZ) Shahin Agabeyli and his Deputy Ravil Mammadov were detained for the article "There will be lays-off in the Ministry of Internal Affairs" published on pia.az website on 5 October and were interrogated by the National Security Ministry (NSM) employees until 10:00 p.m. Institute for Reporters' Freedom and Safety representatives Idrak Abbasov, Elnur Mammadov and Ganbar Ganbarov faced harassment by police while they were conducting investigation into the incident. Appeals addressed to law-enforcement organs to investigate these cases were ignored and people responsible for these actions have gotten off with complete impunity.

Moral and physical harassment against journalists and interference in their professional work increased in the regions as well. IRFS Nakhchivan correspondents Hakimeldostu Mehdiyev, Elman Abbasov, Radio Liberty and Turan IA correspondent Malahat Nasibova and Azadlig Newspaper regional correspondent Arshad Ibrahimli faced threats and physical pressure in the regions.

On 20 February a researcher with IRFS and *Zerkalo* newspaper correspondent Idrak Abbasov, who was visiting Nakhchivan, was called to Nakhchivan Autonomous Republic National Security Ministry for a meeting where he faced physical and psychological pressure.

At the end of the year, on 29 December, imprisoned Editor-in-chief of *Gundelik Azerbaijan* and *Realniy Azerbaijan* newspapers Eynulla Fatullayev faced provocation in his prison and 0.223 grams heroin was found on him. This incident was assessed as an operation set-up to prevent the decision of the European Court of Human Rights (ECHR) regarding the journalist in the near future. (See: table 2).

SITUATION OF MEDIA LEGISLATION AND CIVIL SOCIETY

The Azerbaijani government made changes to several laws to restrict the work of mass media. Intolerance against mass media was obvious during the 18 March Referendum. Changes were made to articles 32 and 50 of the Constitution during the 18 March

Referendum restrict freedom to receive information. In March, changes and amendments to laws “On Mass Media”, and “On Television and Radio” that restrict the work of mass media were adopted in Milli Mejlis. These amendments and changes were aimed at increasing supervision mechanisms on electronic media and restricting the activity of the mass media. (**See: table 6, 7, 8**)

In addition, the government attempted to limit the work of NGOs. The proposed changes and amendments to the Law on Non-governmental Organizations (Public unions and Funds) could have resulted in the closure of NGOs that do not receive support from the government. Although widespread protests prevented the package from being completely adopted, certain restrictions create challenges.

Although some proposed changes to Law that would have limited the work of NGOs were removed, several articles that are anti-democratic, and contradictory to local and international legislations were approved.

- Amendments to Law - Article **7.5** (*In the event that the NGO’s founders are foreigners or foreign legal entities, the deputy directors of branches and representations must be citizens of Azerbaijan*) and article **9.1.1** (*Foreigners with permanent residency in Azerbaijan and people without citizenship cannot establish non-governmental organizations in the Republic of Azerbaijan*) are contradictory to article 14 (prohibition of discrimination) of the European Convention on Protection of Human Rights and Fundamental Freedoms.
- Amendments to Law -**Article 10.4** (*After a public union receives state registration, it must within 30 days ensure creation of registry of its members*) and article **31.2-1**. (*For failure by legal entities to provide necessary information for the state registry or the presentation of incorrect information the non-governmental organization shall be warned*) are contradictory to article 5 (right to freedom and protection) of the European Convention.
- Amendment to Law -**Article 12.1-1** (*During the creation of a foundation, its authorized capital cannot be less than 10,000 AZN*) is absurd. This fund which is big for non-commercial organizations will create obstacles for creating funds.
- Amendment to Law -**Article 12.3** (*In the Azerbaijan Republic, the opening of branches and representations of non-governmental organizations of foreign countries or non-governmental organizations that are permanently funded by foreign governments or foreign legal or physical entities is only allowed when there is a relevant international contract between these countries*) creates complications. Parties signing contracts are defined clearly and the subjects are not revealed; these will permit to abuse this article.
- Amendment to Law – **Article 13.3** (*It is not permitted for non-governmental organizations to in their charter usurp the powers of state and local self-regulation agencies, to interfere in these powers, or to envisage state oversight and control functions*) will create obstacles for work. This change prohibits investigations and monitoring by NGOs.

The harshest step against NGOs was taken on 25 December. On 25 December 2009, President Ilham Aliyev signed a decree regarding restrictive amendments and changes made to several decrees concerning the application of Law # 842-IIIQD (30 June 2009) On “Changes and Amendments to Several Legislative Acts of Azerbaijan Republic.” According to this decree, operations cannot be conducted regarding agreements on giving or receiving unregistered grants. According to the previous rules, the NGOs had to inform the Justice Ministry regarding grants they received. According to the changes, now the Justice

Ministry has to grant permission to NGOs to use the grants they receive. This means the Justice Ministry has legal opportunity to restrict the activity of NGOs through leaving them without financial aid. Another alarming nuisance here is that there's no item in the decree to point out the results that the refusal of grant registration will originate. None of the countries that are signatory to the Council of Europe have ever practiced this.

INTERNET FREEDOM

Situation of internet freedom in Azerbaijan is not satisfactory. In July "Alumni Network" Youth Organization Coordinator, , [AN](#) Online Television Head Emin Milli (Abdullayev) and [OL](#) Youth Organization co-coordinator, well-known video-blogger Adnan Hajizade were arrested for video footages they had placed online. Their arrest was linked to their video footage called "[Interview with \(Esel Heinz\) donkey](#)".

Further, in October, for the first time in Azerbaijan, a verdict was issued under defamation articles for articles placed on internet media. The Nasimi District Court issued a verdict against "[FANAT.AZ](#)" sports website project head Zahir Azamat and website's sports writer Natig Mukhtarli on "Khazar-Lankaran" Football Club President Mais Masimov's lawsuit under articles 147.2 (accusing someone in grave or especially grave crimes) and 148 (insult) of the Criminal Code. According to the verdict, Natig Mukhtarli was sentenced to one year of corrective labor and Zahir Azamat to six months of corrective labor. The corrective labor sentence denotes that journalists have to pay 20 % of their salaries to Mais Masimov.

In June, during an event on the theme "Regulation of Internet Media in Azerbaijan" held by the Council of Europe and the National TV and Radio Council, government officials made calls to regulate internet media. This proposal, which has restrictive nuances like "granting license for internet TV by NTRC," is still in the agenda.

IRFS RECOMMENDATIONS

IRFS RECOMMENDATIONS TO AZERBAIJANI GOVERNMENT

- Immediately release wrongfully imprisoned journalists in Azerbaijan
- Decriminalize defamation
- Prosecute to the fullest extent of the law all people responsible for attacking journalists and violating journalists' rights
- Restore the broadcast of foreign radios via local FM frequencies
- Find the murderer and people behind the murder of *Monitor* journal editor-in-chief Elmar Huseynov who was slain in 2005
- Conduct a fair trial into the death of *Tolishi Sado* newspaper editor-in-chief Novruzali Mammadov, who died mysteriously in custody and prosecute the perpetrators
- Conduct a new Referendum and to annul amendments and changes made to the constitution that restrict the work of mass media
- Annul restrictive amendments and changes made to other laws
- Appoint Information Ombudsman on the basis of Law on Access to Information
- Conduct more transparent and fair tenders for empty TV and radio frequencies

- Cease political advertising market and to create conditions for independent advertisement market that will be able to operate according to the principles of market economy
- Create new Public TVs on the frequencies of AzTV and “Idman Azerbaijan”, and to create second public radio on the frequency occupied by state radio channel
- Annul restrictive amendments and changes made to the Law on NGOs and to adopt liberal legislation to regulate civil society

IRFS RECOMMENDATIONS TO FOREGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS

- Demand that the Azerbaijani government fulfill obligations in the sphere of freedom of press, freedom of speech and human rights
- Demand that the Azerbaijani government release four wrongfully imprisoned journalists
- Demand that Azerbaijani government and law enforcement organs solve murder, attacks and threat cases committed against journalists
- Apply concrete sanctions put forth in the signed international agreements given that the abovementioned demands are not fulfilled.

IRFS RECOMMENDATIONS TO JOURNALISTS

- Follow code of ethics
- Call the IRFS HOTLINE at +99450 398 48 38, or +99 470 398 48 38 and report to civil society institutes, press, delegations of international diplomatic corps immediately any time you have safety issues.

TABLE I. LIBEL AND DEFAMATION CASES AND OTHER LAWSUITS AGAINST MASS MEDIA DURING 2009

PLAINTIFF AND COURT	DEFENDANT	DECISION ISSUED AND DATE
Minister of Interior Ramil Usubov Yasamal District Court	On 3 December 2008 a lawsuit was filed against Leyla Yunus after her interview with the website " <u>day.az</u> " claiming that the interview was damaging to the business image of the police, and Leyla Yunus was asked to issue a refutation and pay 100,000 AZN in compensation for moral damages.	Lawsuit was rescinded. 02.03.2009
ANS Company Group Baku Appellate Court	Against "Yeni Musavat" due to article entitled "Military Minister against Head of Administration" run in the Newspaper on 13 May 2008	Complaint was not fulfilled. 14.01.2009
"Azerbaijanfilm" Film Studio and Professional Cinema Producers Guild in the Local Economy Court #1	Against Public TV to pay debts	Lawsuit was not fulfilled. 02.03.2009
Ganja City Education Department Head Mahal Aliyev Yasamal district court	Against "21st Century Education Center" Public Union Chairman Etibar	A decision to send defendant's appeal in connection with accepting

	Aliyev due to an interview that was published in "Azadlig" Newspaper on 24 September 2008, under article 147.2 (slander accusing someone of committing a grave or especially grave crime)	lawsuit for consideration to the Appellate Court was adopted. 29.01.2009
Yasamal District Court	Against Assistant Editor-in-Chief of "Korrupsiya ve Jamiyyat" (Corruption and Society) Journal Mubariz Masimoglu under article 221.2 (hooliganism) of the Criminal Code	The case was thrown out in May.
Davachi Region Police Department Assistant Chief Mammadmusa Huseynov Binagadi District Court	Against "Yeni Musavat" Newspaper employees Sabuhi Mammadli and Ervin Mirza under articles 147 (libel) and 148 (insult) in the special format	The lawsuit was rejected without being accepted for consideration. 30.10.2009
Defense Ministry Beylegan Military Unit Commander, General-major Mahmud Hamzayev Baku Appellate Court	Against the decision of the Yasamal District Court adopted on Hamzayev's special lawsuit against "Gundalik Baki" Newspaper Editor-in-Chief Habil Aliyev, Deputy Chief Editor Uzeyir Jafarov, officer-in-reserve Arif Rahimov and Telman Abilov under article 147.2 (accusing someone of committing grave especially grave crime) of the Criminal Code in the special format	On 23 January the lawsuit 23.01.2009
Azerbaijan International University (AIU) Director	Against "Tezadlar" Newspaper Chief Editor	On 7 April Asif Marzili was imprisoned for one year

Elshad Abdullayev Yasamal District Court	Asif Merzili and freelance journalist Zumrud Mammadova for defamation under articles 147 and 148 of the Criminal Code in the special format	and Zumrud Mammadova was sentenced to six months of corrective labor. The Appellate Court adopted a decision to annul the decision issued by the Yasamal District Court on 7 April and to send the case to the first instance court.
The State Radiofrequency Department Baku Local Economy Court #1	Against "Simurg-M" Independent TV and Radio Company due to the company's debts	Result is unknown.
Agdam Region Executive Power Head Hasan Sariyev Yasamal District Court	Against "Gundalik Baki" Newspaper claiming that his honor and dignity were damaged and demanded that the damage be paid (article 148).	In May a decision was adopted not to fulfill the lawsuit.
Murshud Eyyubov - Chairman of Binagadi District Religious community Yasamal District Court	against "Gundalik Baki" Newspaper in the special format	Judge did not accept the lawsuit for consideration and and the Appellate Court did not fulfill the appeal against the decision. 08.04.2009
Citizen Irada Mammadova Binagadi district court	"Yeni Musavat" Newspaper employee Afgan Mukhtarli due to an article entitled "Ali Ahmadov's Name in the Basement Scandal,"	Afgan Mukhtarli was fined 250 AZN. He learned about this issue when he received a notice that he had to pay the fine. 16.02.2009
"Haji Mazan" LTD Director Zakir Guliyev	Against "Gundalik Baki" Newspaper's Founder and Editor-in-Chief Habil	Result is unknown

	Valiyev to defend his honor and dignity due to the articles "Narcotics Itinerary in the South" published in the newspaper on 14 January 2009 and "Narcotics Itinerary in the South – 2" published in the newspaper on 22 January, 2009.	
"Haji Mazan" LTD's Founder Ramazan Zeynalov	Against "Gundalik Baki" Newspaper's Founder and Editor-in-Chief Habil Valiyev to defend his honor and dignity due to the articles, "Narcotics Itinerary in the South" published in the newspaper on 14 January 2009 and "Narcotics Itinerary in the South – 2" published in the newspaper on 22 January, 2009.	Lawsuit was not fulfilled. 20.04.2009
Absheron district court	Against "Yeni Musavat" newspaper column writer, "Khalg" newspaper's former editor-in-chief Mahal (Sadigov) Ismayilov under article 21.3 (hooliganism with use of a weapon or weapon-like item) of the Criminal Code	2 year conditional imprisonment. 01.07.2009
"Ashrafi" LTD's Founder	Lawsuit against "Gundalik	Result is unknown

and director Ashraf Zeynalov.	Baki" Newspaper as legal and physical persons to defend honor and dignity	
"Bayram M" MMC	Against "Gundalik Baki" Newspaper to defend the company's honor and dignity.	Result is unknown
Citizen Eldar Mammadaliyev Supreme Court	Cassation (can we use reversal here? I don't think most people know this word) against the decision of the Appellate court to defend honor and dignity against "Tehgigat" Newspaper Editor-in-Chief Yagub Magrur.	Court issued a decision to uphold the decision of the Yasamal District Court to publish a refutation and to pay 200 AZN in fines. 24.04.2009
Citizen Irina Huseynova Narimanov District Court	Against "Khural" Newspaper Editor-in-Chief Avaz Zeynalli and newspaper employee Intigam Adiloglu under articles articles 147 and 148 of the Criminal Code in the special format.	The lawsuit was not accepted for consideration. 24.04.2009
Internal Army Commander, General-Lieutenant Zakir Hasanov Khatai District Court	Against "Nota" newspaper's Editor-in-Chief Substitute Sardar Alibeyli under article 147.2 (accusing someone in grave or especially grave crimes) of the Criminal Code in the special format	Case was sent to the Nizami District Court to be considered. 02.06.2009
Azerbaijan International University (AIU) Director	Against "Tezadlar" Newspaper Chief Editor	Judge refused to accept

Elshad Abdullayev	Asif Merzili and freelance journalist Zumrud Mammadova for defamation under articles 147 and 148 of the Criminal Code.	the lawsuit for consideration because nobody on behalf of the plaintiff participated in the preliminary hearing. 05.05.2009
"Azeri-Turk" Women's Union Chairperson Tanzila Rustamkhanli and Sabira Mahmudova Nasimi District Court	Against "Ideal" Newspaper founder Nazim Guliyev on the lawsuit filed in the special format under articles 147.2 (libel, accusing someone of committing a grave or especially grave crime) and 148 (insult)	Nazim Guliyev was sentenced to a six month imprisonment. 20.05.2009
"Azadlig Harakatchilari" Union Chairman Tahmasib Novruzov Khatai District Court	Against "Nota" Newspaper Editor-in-Chief Substitute Sardar Alibeyli (Aliyev) under Article 148 (insult, and against "Nota" Newspaper employees Ramiz Tagiyev and Faramaz Novruzoglu (Allahverdiyev) under Article 147.2 (accusing someone of grave crimes or especially grave crimes) in the special format.	Case was sent to the Nizami District Court to be considered. 22.05.2009
Internal Army Home Front Deputy Commander, Provision department Head, General Fakhraddin Samadov Khatai District Court	Against "Nota" newspaper substitute editor-in-chief Sardar Alibeyli in the special format under article 147.2 (libel in accusing someone of grave or especially grave crime) of the Criminal Code in the special format.	Case was sent to the Nizami District Court to be considered. 02.06.2009

Gazakh region residents Vidadi Yusifov and Terane Yusifova Baku Appellate Court	Against “Yeni Chag”, “Elchi”, and “Hunar Meydani” newspapers to publish a refutation and pay compensation.	The parties came to an agreement 13.08.2009
Internal Army Staff Department Head, Colonel Nasir Huseynov	Against “Nota” newspaper substitute editor-in-chief Sardar Alibeyli in the special format under article 147.2 (libel in accusing someone of grave or especially grave crime) of the Criminal Code in the special format.	Case was sent to the Nizami District Court to be considered. 02.06.2009
“Azadlig Harakatchilari” Union Chairman Tahmasib Novruzov Nizami District Court	Against “Nota” Newspaper Editor-in-Chief Substitute Sardar Alibeyli (Aliyev) under Article 148 (insult, and against “Nota” Newspaper employees Ramiz Tagiyev and Faramaz Novruzoglu (Allahverdiyev) under Article 147.2 (accusing someone of grave crimes or especially grave crimes) in the special format.	Verdict was issued to sentence Serdar Alibeyli and Feremez Allahverdiyev for three months imprisonment, Ramiz Tagiyev was sentenced to six months conditional imprisonment under the same verdict. On 8 October the execution of the verdict was fulfilled after the Appellate Court adopted a decision to uphold the lower court’s decision
Internal Affairs Deputy Minister, Internal Army Commander, General Lieutenant Zakir Hasanov; Internal Army Deputy Commander Fakhraddin Samadov; Internal Army Staff Department Head, Colonel Nasir Huseynov;	Against “Nota” newspaper substitute editor-in-chief Sardar Alibeyli in the special format under article 147.2 (libel in accusing someone of grave or	On 20 July a verdict was issued to sentence Sardar Alibeyli to 7 months conditional imprisonment and to pay 4% of his monthly salary to the government. On 9 October, Baku Appeals Court issued a decision to imprison

and Internal Army Financial Manager Namig Poladov Nizami District Court	especially grave crime) of the Criminal Code in the special format.	Sardar Alibeyli for 4 months.
Narimanov District court	Case opened against "Khural" Newspaper Chief Editor Avaz Zeynalli by the National Security Ministry due to Zeynalli's translation and publication of Adolf Hitler's book "Mein Kampf".	Narimanov District Court issued a decision to consider A.Zeynalli guilty without appointing any punishment for him and to throw out the case.29.07.2009
<i>Khazar-Lankaran</i> football club's president Mais Mansimov Nasimi district Court	Special format lawsuit against the project head of Fanat.az sport website Zahir Azamat and sport writer Natig Mukhtarli	Verdict was issued to sentence Natig Mukhtarli to one year of corrective labor and Zahir Azamat to six months of corrective labor. Both journalists have to pay 20% of their salaries to Mais Mansimov. 07.10.2009
Sabail district police station under "hooliganism" charges Sabail district court	Two months pre-trial detention against youth bloggers Adnan Hajizade and Emin Milli	Judge issued a decision to sentence young bloggers to pre-trial detention. 10.07.2009
<i>Gebele</i> football club's vice-president Jamil Muradov Nasimi district Court	Special format lawsuit against Fanat.az website's column writer and <i>Komanda</i> newspaper's responsible editor.	Judge considered lawsuit unfounded and did not accept for consideration 22.07.2009
Citizen Havanise Abdullayeva Narimanov district court	Lawsuit against <i>Millettin</i> newspaper's editor-in-chief <i>Faramaz Novruzoglu (Allahverdiyev)</i>	Editor-in chief was fined in 500 AZN 27.07.2009
Human Rights Defender Chingiz Genizade	Lawsuit in the special format against F.Novruzoglu due to series of articles in "Milletim" newspaper by F.Novruzoglu about criminal cases in prisons in April-May and concealing of these cases by human rights defenders.	Consideration of the case was ceased temporarily because it the article in question was sent to linguistic examination.
Human Rights Defender Elchin Behbudov	Lawsuit for 100.000 AZN in compensation due to series	Lawsuit was fulfilled partially; defendant

	of articles in "Milletim" newspaper by F.Novruzoglu about criminal cases in prisons in April-May and concealing of these cases by human rights defenders.	F.Novruzoglu should pay 1500 AZN in fines and publish a refutation and apology in <i>Milletim</i> newspaper. 19.08.2009
Crime case Sabail district court	Hearing on a criminal case under articles 221.2.1 (hooliganism) and 127 (inflicting intentional minor bodily harm) against Emin Milli (Abdullayev) and Adnan Hajizade)	Emin Milli was sentenced to 2,5 years imprisonment and Adnan Hajizade to 2 years imprisonment 11.11.2009
"Haji Mazan" LTD founder Ramazan Zeynalov Baku Appellate Court	Appeal against <i>Gundelik Baku</i> newspaper's founder and editor-in-chief Habil Valiyev to defend his honour and dignity	Lawsuit was not fulfilled 08.10.2009
"Vilash" water depot Director Agabey Agayev Nasimi district Court	Civil lawsuit regarding the article "1000 people are in danger," published in <i>Ayan</i> newspaper on 8 March, 2009	Lawsuit was not fulfilled 09.10.2009
Internal Affairs Minister Ramil Usubov Yasamal district court	Special format lawsuit against <i>Femida 007</i> Newspaper Editor-in-chief Eyyub Karimov The lawsuit stems from articles "Letter fancier," and "NSM and Chief Prosecutor's Office know well who ordered it," which were published in <i>Femida-007</i> newspaper; and "Internal Ministry inside and outside of the game" published in <i>Azadlig</i> newspaper.	Continues
<i>Khazar-Lankaran</i> football club's president Mais Mansimov Nasimi district Court	Special format lawsuit against the project head of Fanat.az sport website Zahir Azamat, sites chief editor Ali Sahib and sport writer Natig Mukhtarli	Lawsuit was rejected 17.11.2009
Saatli region Executive Administration deputy chief Ilham Guliyev Yasamal district Court	Special format lawsuit against <i>Gundelik Baki</i> newspaper	Lawsuit was rejected 14.12.2009

Head of the Caucasus Muslims Department Sheykul-Islam Allahshukur Pashazade Yasamal district court	Lawsuit against <i>Gundelik Baku</i> newspaper to defend his honour and dignity	Decision: "Gundalik Baki" newspaper has to publish a refutation and apologize to Haji Allahshukur Pashazade. 30.10.2009
Ashig Alasger's grandchild and researcher Islam Alasger Sebail district court	Lawsuit regarding copyright violation against independent journalist Gabil Zimistanoglu (Abdullayev) and "Ganun" publishing house	Case was sent to Nasimi district court for consideration 07.12.2009
"Vilash" water depot Director Agabey Agayev Baku Appellate Court	Appeal from the decision adopted on the civil lawsuit regarding the article "1000 people are in danger," in <i>Ayan</i> newspaper on 8 March, 2009	Appeal was not fulfilled 02..12.2009
Imprisoned Editor-in-chief of <i>Gundelik Azerbaijan</i> and <i>Realniy Azerbaijan</i> Newspapers Eynulla Fatullayev Garadag District Police Department Investigative Unit	On 30 December a criminal case was issued against Eynulla Fatullayev under article 234.1 of the Criminal Code	Trial continues

TABLE 2: ATTACKS, PROVOCATION, VIOLATIONS AND THREATS AGAINST JOURNALISTS AND MEDIA ORGANIZATIONS DURING THE FIRST SIX MONTHS OF 2009

"Bizim Azerbaijan" newspaper correspondent Ramin Bayramov	On 2 January, "Bizim Azerbaijan" newspaper correspondent Ramin Bayramov was detained by the employees of the Yasamal District Police Department Police Unit #27 during an action conducted by a religious group in front of Israeli Embassy to Azerbaijan in connection with Gaza incidents and was held for seven hours.
"Yeni Musavat" newspaper correspondent Afgan Mukhtarli	On 7 January, "Yeni Musavat" newspaper correspondent Afgan Mukhtarli faced pressure when police dispersed an action held by a group of religious people in front of Israeli

	Embassy to Azerbaijan to protest against the incidents in Gaza.
“Azadlig” newspaper regional correspondent Arshad Ibrahimli	On 9 January during the meeting with Ganja City Prosecutor Adil Valiyev, the prosecutor told the journalist not to give information which "does not conform to reality," and threatened by him saying “or it will not be easy for you.”
“Azad Azerbaijan” TV correspondent Hafiz Huseynoglu and operator Eldaniz Valiyev, “Lider” TV correspondent Habil Aslanoglu and operator Ilgar Salmanoglu	On 14 January the journalists were assaulted by Armenian military while they attempted to video record the construction of a church by Armenians in the occupied Shahbulag village of the Agdam region of Azerbaijan. The journalists were able to escape the fire as a result of counter gunfire from the Azerbaijani military.
IRFS Nakhchivan regional correspondents Hakimeldostu Mehdiyev, Elman Abbasov and Mehman Mehdiyev, Radio Liberty and “Turan” IA correspondent Malahat Nasibova	The journalists were subjected to pressure by 20-25 people while they were conducting investigation in Sadarak region, Heydarabad village.
IRFS Nakhchivan regional correspondents Hakimeldostu Mehdiyev, Elman Abbasov and Mehman Mehdiyev, Radio Liberty and “Turan” IA correspondent Malahat Nasibova	On 29 January a person who introduced himself as Malik Ailyev called Hakimeldostu Mehdiyev, Elman Abbasov and Mehman Mehdiyev, Radio Liberty and “Turan” IA correspondent Malahat Nasibova from phone number 055-257-08-07. He insulted H.Mehdiyev and said that he would blow up their office.
Radio Liberty and “Turan” IA correspondent Malahat Nasibova	On 30 January a person who introduced himself as Malik Ailyev called Malahat Nasibova and said that he would kill Hakimeldostu Mehdiyev, Elman Abbasov and IRFS Chairman Emin Huseynov.

IRFS Nakhchivan regional correspondents Hakimeldostu Mehdiyev	On 31 January, someone named Ismayil Ismayilov insulted H. Mehdiyev during a gathering held by opposition parties to mark 125th birthday of Mammad Amin Rasulzade in front of "Umid" Party's Nakhchivan department. He Then hit H. Mehdiyev, who was filming the event, in the face with a ceramic ashtray. As a result, Hakimeldostu Mehdiyev sustained injuries around his eye.
"Olka" newspaper	On 12 February a woman called and said that she was looking for the author of article entitled "Kamaladdin Heydarov's staff takes blow" that was published on the same day.
"Yeni Musavat" newspaper column writer Mahal Ismayilglu	On 14 February "Yeni Musavat" columnist Mahal Ismayilglu was called to the Absheron District Police Department and a pre-trial order was issued forbidding Ismayilglu from leaving the country on the case that was opened against him eight months ago.
"Yeni Musavat" newspaper employee Mustafa Hajibeyli	On 17 February, "Yeni Musavat Newspaper" employee Mustafa Hajibeyli was called to the Binagadi District Police Department, and without any explanation, a copy of his identification card was taken.
Institute for Reporters' Freedom and Safety (IRFS) employee Idrak Abbasov	<p>Idrak Abbasov who was sent to an official journey to Nakhchivan was instructed to come to the Nakhchivan AR National Security Ministry for a meeting and there he was subjected to moral and psychological pressure.</p> <p>Abbasov was released after 2 hours, but only after NSM employees deleted all the photos and video footage on his cameras.</p>
Independent journalist Eldaniz Elgun	On 27 February Eldaniz Elgun received threats because of his book "13 Days 1001 Nights" that tells the story of an Azeri youth who falls in love with an Armenian girl, and the book was gathered from shops.
"Nota" newspaper's chief consultant Faramaz Novruzoglu	People called Novruzoglu from open and blocked numbers and introduced themselves as Director of the Anti-terrorism Center of the NSM Elchin Guliyev, Assistant Director of the Center Ilgar Aliyev, and Assistant National Security Minister

	Hilal Asadov.Novruzoglu, his family members and relatives were threatened, ; due to series of articles about the Anti-terrorism Center of the Ministry of National Security in "Nota" Newspaper.
"Yeni Musavat" newspaper's editorial office	On 4 March, about 50 students and five teachers from "Baku Gizlar University" attacked "Yeni Musavat" Newspaper's editorial office. The attack happened due to the articles about the university published in "Yeni Musavat" Newspaper stating that "Gizlar University" Rector Agarahim Rahimov dismissed several fourth year students from the university.
Human Rights Defender Novella Jafaroglu	Novella Jafaroglu was called to the National Security Ministry on 4 March due to her interview to "Bizim Yol" newspaper about the murder of "Monitor" Journal Editor-in-chief Elmar Huseynov.
"Gundalik Baki" newspaper	On 13 March, a group of people attacked the editorial office of "Gundalik Baki" Newspaper because of several articles published in the newspaper based on a complaint letter about Azneft Construction Equipment Department Chief Rais Babayev.
Radio Liberty correspondents	"Radio Liberty" correspondent Babek Bakir was not allowed in station #34 of Jabrayil-Gubadli election circle #120 to monitor 18 March referendum. In polling stations # 16 and 17 of Election Constituency #20 in the Narimanov District, students were brought by a bus and voted and one of the students attempted to take the "Radio Liberty" correspondent's camera from him.
"Azadlig" newspaper Ganja regional correspondent Ershad Ibrahimov	April 17, "Azadliq" Newspaper Ganja Region correspondent Ershad Ibrahimov was arrested by employees from the operations/investigative department of Ganja City's Kepez District Police Department. Ibrahimov was found guilty of violating Article 310 and sentenced to 10 days of imprisonment.
"Azadlig" newspaper	The journalist faced pressure while trying to prepare a report

<p>correspondent Natig Gulahmadoglu (Adilov)</p>	<p>on the destruction of a library that belongs to the Ministry of Culture and Tourism located on Nizami Street. A guard of an airliner company located by the building belonging to the library did not allow the correspondent to take photos.</p>
<p>ANS TV correspondent Nijat Suleymanov, operator Elmin Muradov, company's corporative supervision service employee Azer Balayev</p>	<p>On 26 April at 12:00 a.m. ANS TV employees were investigating the destruction of a mosque at the address 190 M. Mukhtarov Street when they approached Yasamal District Police Department Chief Mohubbet Huseynov to learn the reason that the decision was made to destroy the building. Huseynov refused to respond and ordered more than 30 police in the area to confiscate the film equipment and cassettes in the reporting crew's possession. The police used force against the ANS employees.</p>
<p>"Garbi Azerbaijanin sesi" newspaper employee Yagub Allahyarov</p>	<p>On 30 April in order to investigate the information given to the editorial office by the citizens, the journalist was at Ashig Molla Juma Street 15 in the children's playground, where construction work was being done. Someone named Ilgar introduced himself as the owner of the construction company, and said he was the cousin of the President of State Oil Company of Azerbaijan and parliamentarian Rovnag Abdullayev. After this, four more people threatened him and insulted him using inappropriate language.</p>
<p>Radio Liberty correspondent Durna Safarli, "Yeni Musavat" newspaper employees - Afgan Mukhtarli, Leyla Ilgar, "Yukselish namine" newspaper employee Elchin Hasanov</p>	<p>On 10 May the journalists were at Police Department #39 of the Sabail District of Baku seeking information about a youth group planning a protest against "Flower Holiday" who had been arrested, when she was subjected to physical pressure and insulted by police.</p>
<p>"Khural" newspaper editor-in-chief Avaz Zeynalli, director Nizami Hasanov</p>	<p>On 25 May "Khural" Newspaper Chief Director Nizami Hasanov was accused of violating traffic rules and was detained by Narimanov District State Road Police employee</p>

	<p>Mehdi Salimov. Hasanov called “Khural” Newspaper Editor-in-chief Avaz Zeynalli and told him that he was detained wrongly. Coming to the site of the incident, Zeynalli wanted to investigate the incident. However, the editor-in-chief was accused of “citizen’s denial to obey the police” and they were taken to the Narimanov District Police Department Police Unit 17. The editor-in-chief, director and police employee Mehdi Salimov were given warning and then Zeynalli and Hasanov were released.</p>
<p>Radio Liberty employee Saadat Akifgizi and a group of journalists</p>	<p>On 26 May in Baku Garadagh Region’s Garaheybet zone, poisoning was registered by N Military unit located in the General Army Training Center. A group of journalists who were there in connection with the incident were harassed by soldiers. A soldier attempted to take away Radio Liberty’s correspondent Saadat Akifgizi’s telephone by using force. The journalists interfered and the soldier got angry and gave an order to “take the journalists in.” The order was not fulfilled because of mass commotion.”</p>
<p>“Azadlig” newspaper correspondent Vidadi Mammadov</p>	<p>On 2 June, “Azadlig” newspaper employee Vidadi Mammadov received death threats into his mobile phone from a hidden number. The threats stated: “be clever if you want to live, or we’ll behead you.”</p>
<p>A group of journalists</p>	<p>On 19 June the Civil Society Defense Committee (CSDC) attempted to conduct an action in connection with proposed changes and amendments to the Law on Non-governmental Organizations and Mass Media. The police surrounded the area and did not allow the journalists to go close to the Milli Mejlis building. The accredited media representatives were also banned from going in for a while.</p>
<p>Institute for Reporters’ Freedom and Safety investigative journalist Rasim Aliyev</p>	<p>On 22 June Institute for Reporters’ Freedom and Safety researcher Rasim Aliyev and “Janub Xhaberleri” Newspaper correspondent Parviz Azimov were investigating Azimov’s expulsion from Lankeran State University (LSU) when a guard from the university confronted them in the yard of the university compound, insulted them, pushed them and struck the Nikon D90 photo camera that Aliyev was holding in his hand, breaking it.</p>
<p>Institute for Reporters’ Freedom and Safety</p>	<p>On 23 June the “Officers in Reserve and Retirement” Public Union conducted a press conference in the press center of the Institute for Reporters’ Freedom and Safety when employees from the Sabail District Police Department Patrol</p>

	Service came to IRFS and asked about the organizers of the event. The police left the premises after talking to organizer Y. Jafarli.
Media Rights Institute	The Media Rights Institute was asked to vacate its office in Baku city on Kaverochkin Street two months prematurely because government agencies pressured the landlord to evict them early even though the organization had a long-term rental agreement with the landlord.
“Yeni Musavat” newspaper employee Elshad Mammadli	On 23 June, at approximately 10:00 p.m., unknown people came to “Yeni Musavat” newspaper correspondent Elshad Mammadli’s house saying that they were looking for someone called Eldar who had a dispute with road police.
Institute for Reporters’ Freedom and Safety Chairman Emin Huseynov and other mass media representatives	On 30 June, Civil clothed police attempted to interfere with journalists’ filming and exerted physical pressure against people who wanted to move forward Milli Mejlis. Even Radio Liberty’s accredited correspondent was prevented from going towards Milli Mejlis.
Employees of radio <i>Liberty</i> and <i>BBC</i> and IRFS	Journalists – Radio Liberty and BBC correspondents wanted to prepare a reporting about the tearing down of houses situated in the area where a palace was being built - on Khan Shushinski Street. The police did not let the Institute for Reporters’ Freedom and Safety employees enter the area and tried to interfere in their work in taking photos or filming.
Two youth bloggers – Alumni Network Youth Organization Coordinator Emin Milli and one of the coordinators of OL Youth Organization, popular videoblogger in the internet-Adnan Hajizade Hacızade	On 8 July, at approximately 8:00 p.m., Emin Milli and Adnan Hajizade were sitting at a table in “Lebonese” (Livan) restaurant along with several other young adults, when two people that looked like sportsmen came up to them, and attacked them causing physical injuries.
IRFS Nakhchivan Regional Correspondent Hekimeldostu Mehdiyev	On 9 July, civil clothed police threatened one of Mehdiyev’s relatives and offered him to give several cartridges to H.Mehdiyev. According to the plan, H.Mehdiyev should have been detained when given the cartridges by that person. The person who agreed to this at the beginning, informed Mehdiyev of the incident later.
Mass Media	On 10 July, during the hearing regarding pre-trial detention of

representatives	young bloggers Adnan Hajizade and Emin Milli Mass Media was not allowed into the court and police interfered with their professional activity and told them to leave the area, and banned them from taking photo and filming.
<i>Azadlig</i> newspaper's employee Aynur Elgunesh	She said that she was threatened and insulted by "Gafgaz Media" Public Union's chairman Azade Taleh on 22 July for her article "Our Press Today". She did not appeal to the law-enforcement organs. Narimanov police district denied the fact to IRFS.
Regional "Janub Khabarlari" newspaper's painter-correspondent Matlab Dadashov	According to Dadashov, this harassment stems from his article entitled "Why is the Goodwilled Person Silent" published in the newspaper on 20 July. The article talks about fraud by Masalli region Kolatan village Executive Administration representative Valeh Mikayilov under the name of "charity".
<i>Azadlig</i> newspaper correspondent Sakit Zahidov	ON 25 July, He was sitting in Narimanov Park "Istanbul" teahouse with his son and three friends when four unknown people sitting across from them interfered. They even used improper words about his beard. One of his friends knew one of the four unknown people and said that he was a former policeman. He knew that this was another provocation; therefore decided not to create problems and left the teahouse.
"Senet" Newspaper Editor-in-chief Samir Sedagetoglu (Huseynov)	On 29 July, he was called to the Lankaran city Police Department. Editor-in-chief did not go to the department because he did not receive a written formal inquiry. Lankaran city Police Department Investigation Unit Chief Saadat Gambarov told IRFS that a complaint letter was submitted by Saadatoglu's relative Guliyeva Gizdar Eynulla gizi and Samir Sadagatoglu was called to write a statement.
IRFS Nakhchivan Regional Correspondent Hekimeldsotu Mehdiyev and Elman Abbasov, Radio Liberty and "Turan" information agency correspondent Melahet Nasibova, and Radio Liberty correspondent Ilgar Nasibov	On 3 August, journalists who wanted to observe President Ilham Aliyev's visit to Nakhchivan Autonomous Republic were not allowed to the events where the president participated by civil clothed people, and the photos and videos the journalists produced were erased.
<i>Yeni Musavat</i> newspaper editorial office	On 8 August, some people wanted to dig out sewage line of the building where the editorial office is located. This made it impossible for the employees of the editorial office to come into the office or leave; therefore they objected to it. Water was not given to the editorial office of "Yeni Musavat" for three days. Several critical articles in connection with Nizami District Executive Administration were published in the newspaper. Therefore this problem is 'the work' of district

	leadership
Independent journalist Aynur Elgunesh and photoreporter Ahmed Mukhtar	On 30 August they were subjected to pressure by police in plainclothes when they wanted to prepare a report in connection with the action held for International Memory Day for Missing People in front of Baku Office of the International Red Cross Committee.
IRFS Nakhchivan Regional Correspondent Hekimeldostu Mehdiyev	On 8 September, Chief of Criminal Investigation Department Elkhan Hasanov threatened IRFS employee H.Mehdiyev. "We are thinking about taking measures against you," E.Hasanov told the journalist.
<i>Ayan</i> newspaper's founder and editor-in-chief Javid Alesgeroglu (Shireliyev)	On 13 September, at around 2.30 a.m., he left his home, to smoke a cigarette and was delivered to the hospital by his relatives who found him unconscious in front of his house. The journalist's head was injured. Law-enforcement organs were appealed to regarding the problem.
Employee of the Institute for Reporters' Freedom and Safety and <i>Ayna</i> newspaper idrak Abbasov	On 17 September, he was taking pictures of the buses that had been taken to the station when a police sergeant and two employees of the Transportation Department attacked him. They took his photo-camera, journalist card and cell phone, twisted his arms, and took him to a room. He was then apologized to.
IRFS Nakhchivan Regional Correspondent Elman Abbasov	Since 22 September, during several days an unknown person phoned his house and threatened to kill him, and used inappropriate language against him and his family.
<i>Korrupsiya ve Jemiyet</i> journal's editor-in-chief Mammad Ahmedoglu	According to M.Ahmedoglu, he sent an information inquiry to the Republic's Military Commissariat regarding Kazim Mammadov's son Mammadov Ramin who works as the Department Head at the Shaki city Executive Administration, to learn the real reason why he did not serve in the military. Mammadov called him on 23 September and said that he would follow his family,.
IRFS Nakhchivan Regional Correspondent Hekimeldostu Mehdiyev	On 2 October, he was stopped while going to work from Sharur District to Nakhchivan city and was sent back because the presidents of Azerbaijan, Turkey, Kazakhstan, and Kyrgyzstan were visiting Nakhchivan to participate in the 9th summit assembly of Turkish language states.
<i>Milli Yol</i> newspaper and Poligon Information Agency's (PIA.AZ) editor-in-chief Shahin Agabeyli, and his deputy Ravil Mammadov	On 8 October, at 10:00 p.m., the journalists were detained and interrogated by the employees of the Internal Affairs Ministry for article "There will be dismissals in the Interior Affairs Ministry" on 5 October.
IRFS employees-Idrak Abbasov, Elnur Mammadov and Gambar Gambarov	On 8 October, the representatives of the Institute for Reporters' Freedom and Safety Idrak Abbasov, Elnur Mammadov and Gambar Gambarov, who were fulfilling their professional work during the arrest of <i>Milli Yol</i> newspaper and Poligon Information Agency's (PIA.AZ) editor-in-chief Shain Agabeyli and his deputy Ravil Memmedov when their video-cameras and photo-cameras were forcefully taken from them were confiscated. Additionally, they confiscated the video-camera from Elnur Mammadov, another employee of IRFS, who was recording

	outside of the building, and took him away in the same car with S.Agabeyli. Elnur Mammadov was freed on the road, the equipment was not returned. They gave back confiscated equipment after deleting the videos and photos taken.
<i>Bizim Veten</i> newspaper's editor-in-chief Mirhuseyn Nagiyev	On 9 October, he was called to the police department because of his article "Child labor is used in Jalilabad" that was published in his newspaper, but the journalist refused to write a statement.
<i>Hurriyyet</i> newspaper's Genjebasar regional reporter Ikram Rafigoglu	On 11 October, an unknown person knocked on his door. His family did not open the door, because he was not at home. However, that person began to knock on the door harder and demanded that they open the door. Then his wife screamed through the window calling neighbors for help. Upon returning home, I.Rafigoglu saw the neighbors chasing the unknown person away.
"Turan" Information Agency's reporter Tapdig Ferhadoglu	On 22 October, he was not allowed to take part in Turkey's Foreign Minister Ahmet Davudoglu's press conference held in "Hyatt Regency" hotel.
"Poligon" Information Agency's employee, Azerbaijan State Oil Academy's fourth course student Elmin Bedelov	2 November, in his article "Reportage from Azerbaijan State Oil Academy" he covered corruption facts and the arbitrariness of the teachers. On 13 November, "Oil Mechanics" faculty's dean blamed him in writing "ordered article". E.Badalov noted that university leadership wanted to dismiss him from the university under different pretexts.
"Milletim" newspaper staff	Editor-in-chief Ramiz Tagiyev claimed in his appeal to IRFS that he and his newspaper staff were harassed and on 5 November, in the evening, at about 11.30 p.m., Lale and Ilkin Agayev were stopped and threatened with gun.
"Nonsens" qəzetinin Aran bölgəsi üzrə müxbiri İlham Süleymanov	I.Suleymanov said that he faced pressure by Saatli region Executive Administration Head Siraceddin Jabbarov and employees of the regional procurator's office for the article titled "The residents of the region protest," on the basis of a complaint by a group of residents of Mollavaizli village.
"Poligon" Information Agency's (pia.az) employee Elmin Badalov	On 10 December, he faced pressure in Azerbaijan International University where he went to prepare a reportage and AIU's employees did not allow him to implement his professional work.
Imprisoned Editor-in-chief of <i>Gündelik Azerbaijan</i> and <i>Realniy Azerbaijan</i> Newspapers Eynulla Fatullayev	On 29 December, 0.22 grams heroin was found on Fatullayev in prison #14. His father Emin Fatullayev said that the narcotic was found in Eynulla's shoe and his sleeve, and claimed that this was an operation set up beforehand to prevent his release.

The report was prepared on the basis of information given by injured individuals.

TABLE III. LAWSUITS FILED BY JOURNALISTS IN 2009

Plaintiff and court	Defendant	Decision
A group of journalists (Elchin Hasanov, Seymur Haziyeu, Abulfaz Gurbanli and Eltaj Panahov) Baku Appellate Court	For not being provided with a lawyer by the government in the Sabail District Court	Lawsuit was rejected. 15.01.2009
Sakit Zahidov Baku Appellate Court	Appeal filed against the decision of the Narimanov District Court to be released before the end of his term.	Lawsuit was not fulfilled. 05.02.2009
"Elchi" Newspaper Editor-in-chief Ali Haziguliyev Baku Appellate Court	Appeal filed against "Ganj Veteparvarlar" (Young Patriots) Movement Chairman Fikret Faramazoglu under article 147.2 in the special format.	Appeal was not fulfilled. 09.02.2009
"Azadlig" newspaper editor-in-chief Ganimat Zahid and his lawyer Elchin Sadigov Supreme Court	Against the Justice Ministry Penitentiary Services regarding the inactivity of high-ranking official	E.Sadiqov's lawsuit was sent to Appellate Court again, G.Zahid's lawsuit was rejected 04.02.2009
Editor-in-chief of "Gundelik Azerbaijan" and "Realny Azerbaijan" newspapers Eynulla Fatullayev Baku Appellate Court	Appeal filed against the decision of the Yasamal District Court adopted on the lawsuit against Foreign Minister Elmar Mammadyarov on inactivity of high ranking official (to not respond to information inquiry).	Appeal was not fulfilled 10.02.2009
"Mukhalifat" Newspaper Editor-in-Chief Rovshan Kabirli and the newspaper's Department Editor Yashar Agazade	Against the Ministry of Justice, Ministry of Justice's Penitentiary Services and Penitentiary Services' Investigative Detention Center #1 (Bayil Prison) to consider imprisonment conditions unfounded	Lawsuit was not fulfilled. 10.04.2009
"Azadlig" newspaper satiric/journalist Sakit Zahidov Sabail District Court	President Ilham Aliyev for Repressive actions of the government against his family when he was imprisoned.	Lawsuit was rejected
"Tezadlar" newspaper editor-in-chief Asif Marzili Narimanov District Court	Education Minister Misir Mardanov for failure to respond to an information inquiry.	Result is unknown

“Bizim Yol” newspaper correspondent Mushfig Huseynov	To be released early due to health problems.	Lawsuit was not fulfilled
“Azadlig” newspaper Ganja regional correspondent Arshad Ibrahimli Ganja city Appellate Court	Appeal filed against the decision of the Nizami District Court on April 17 2009 to sentence “Azadliq” Newspaper Ganja Regional correspondent Ershad Ibrahimov on the basis of Article 310 of the Republic of Azerbaijan’s Administrative Code (intentionally not obeying police and/or soldiers)	Lawsuit was fulfilled and the journalist was released in the court hall.
Independent journalist Elchin Hasanov Supreme Court	Appeal filed against the failure to accept cassation appeal against decision adopted on his lawsuit against police unit 39 for being subjected to physical and moral pressure for consideration.	Decision of the Appellate Court was upheld. 28.04.2009
“Janub Khabarlari” newspaper correspondent Parviz Azimov Lankeran City Court	Lankeran State University (LSU) Lawsuit to consider the decision to exclude the plaintiff from Lankeran State University (LSU) due to his unfounded article.	Lawsuit was fulfilled 10.09.2009
“Korrupsiya va Jamiyyet” Journal’s Editor-in-Chief Mammad Ahmedoglu Binegedi District Court	Against the Press Council to ask the Press Council to publish a refutation and to pay compensation for moral damages after the journal was included on the list of racketeering newspapers.	Lawsuit was not fulfilled. 30.06.2009
Samir Ismayilov, the director of “Turan Service” Information Agency Baku Economic Court #1.	Against Baku City Department of Taxes	lawsuit was fulfilled partially
“Radio Liberty.” Baku Appellate Court	Appeal filed against the decision of the Yasamal District Court on lawsuit of “Abu Bakr” Mosque Imam Gamet Suleymanov against the Azeri bureau of Radio Liberty to issue a refutation.	Lawsuit was not fulfilled. 20.05.2009
“Azadlig” Newspaper Director Azer Ahmadov Sabail District Court	The National Security Ministry (NSM) and Chief Prosecutor’s Office’s Investigation Department Head on Grave Crimes, Eldar Ahmadov, to declare the eavesdropping of plaintiff’s phone calls unfounded.	Lawsuit was not fulfilled. 23.06.2009
“Nota” editor-in-chief substitute Sardar Alibeyli	Against the Press Council and Council’s Chairperson Aflatun	Lawsuit was not fulfilled

Binagadi district court	Amashov to declare the inclusion of "Nota" newspaper on the list of the racketeering newspapers unfounded.	06.08.2009
"Tolishi Sado" newspaper editor-in-chief Novruzali Mammadov Supreme Court	Cassation complaint in connection with payment for moral and material damages as a result of a violation of his right to not be subjected to discrimination.	Appeal was rejected 10.06.2009
Institute for Reporters' Freedom and safety Chairperson Emin Huseynov Nasimi District Court	Against the Ministry of Interior, Nasimi District Police Department, and Nasimi District Police Department Office #22 for subjection to pressure.	Lawsuit was not fulfilled. 16.06.2009
Lawyers of Emin Milli and Adnan Hajizade Appeals Court	Appeal filed against the decision of Sabail District Court on 10 July 2009 on pre-trial detention regarding youth bloggers	Lawsuit was not fulfilled 20.07.2009
Emin Milli and Adnan Hajizade's lawyers Sabail District Court	Against the employees of Sabail District Police Office for their illegal actions during the investigation regarding the incident in "Lebonese" (Livan) restaurant on 8 July.	Lawsuit was not fulfilled 23.07.2009
"Bizim Yol" newspaper correspondent Mushfig Huseynov Baku Appellate Court	Appeal filed against the decision of Azizbayov District Court on his lawsuit to be released early due to health problems.	Appeal was not fulfilled 20.07.2009
IRFS Nakhchivan regional correspondents Hakimeldostu Mehdiyev Nakhchivan city Court	Nakhchivan city Police Department chief Sabuhi Novruzov's inactivity	Lawsuit was not fulfilled 28.07.2009
"Yeni Musavat" newspaper column writer, "Khalg qazeti" editor-in-chief Mahal Ismayilglu Baku Appellate Court	Appeal filed against the decision of Absheron District Court on two years conditional imprisonment	Trial continues
Lawyers of youth bloggers Isakhan Ashurov and Elton Guliyev Sabail District Court	Lawsuit in connection with the violation of A.Hajizade and Emin Milli's presumption of innocence against Internal Affairs Ministry , Chief Prosecutor's Office , Baku city Chief Police Office and Baku city Prosecutor's Office.	lawsuit was not fulfilled 10.08.2009

<p>“Khural” Newspaper editor-in-chief Avaz Zeynalli</p> <p>Baku Appellate Court</p>	<p>Appeal filed against the decision of Narimanov District Court adopted on the criminal case against translation of Adolf Hitler’s book “Mein Kampf.”</p>	<p>Appeal was not fulfilled</p> <p>30.09.2009</p>
<p>Institute for Reporters’ Freedom and Safety Nakhchivan regional correspondent Hakimeldostu Mehdiyev</p> <p>Nakhchivan Autonomous Republic Supreme Court’s Criminal and Administrative Penal Court</p>	<p>Appeal filed against the decision of Nakhchivan city Court on July 27 2009</p>	<p>Decision was issued to annul the decision of Nakhchivan city Court and send it to Nakhchivan City Court to be reconsidered.</p> <p>18.09.2009</p>
<p>“Azadlig” newspaper editor-in-chief Ganimat Zahid</p> <p>Supreme Court</p>	<p>Cassation complaint against the decision regarding the destruction of the manuscripts of a book in prison</p>	<p>Lawsuit was not fulfilled</p> <p>31 .09.2009</p>
<p>Institute for Reporters’ Freedom and safety Chairperson Emin Huseynov</p> <p>Baku Appellate Court</p>	<p>Appeal filed against the decision of Nasimi District Court adopted on his lawsuit against Ministry of Interior, the Nasimi District Police Department, and the Nasimi District Police Department Unit #22 for subjection to pressure by police</p>	<p>Lawsuit was not fulfilled</p> <p>14.10.2009</p>
<p>ANS television channel Nizami District Court</p>	<p>Civil lawsuit filed against “Yeni Musavat” newspaper</p>	<p>Parties came to an agreement</p> <p>08.10.2009</p>
<p>“Yeni Musavat” newspaper Sabail District Court</p>	<p>Civil lawsuit filed against ANS television channel</p>	<p>Parties came to an agreement</p> <p>08.10.2009</p>
<p>“Korrupsiya va Jamiyyet” Journal’s Editor-in-Chief Mammad Ahmedoglu</p> <p>Baku Appellate Court</p>	<p>Appeal filed against the decision of Binagadi District Court adopted on his lawsuit against the Press Council and the Council’s Deputy Chairman Vugar Rahimzade.</p>	<p>Lawsuit was not fulfilled</p> <p>16.09.2009</p>
<p>Adnan Hajizade’s father Hikmat Hajizade and Emin Milli’s father Pasha Abdullayev</p> <p>Sabail District Court</p>	<p>Lawsuit filed against Sabail district Police department investigator Ziya Aliyev regarding a violation of the right of respect to their personal and family life</p>	<p>Lawsuit was not fulfilled</p> <p>18.09.2009</p>
<p>“Azadlig” Newspaper editor-in-chief Ganimat Zahid (Zahidov)</p>	<p>Lawsuit to supersede the remainder of his prison term with</p>	<p>Lawsuit was not fulfilled</p>

Azizbayov District Court	lighter punishment.	17.09.2009
“Turan Service” LTD Director Samir Ismayilov	Appeal filed against the decision of Baku Economic Court #1 adopted on the lawsuit against Baku City Tax Department and the Ministry of Tax.	Lawsuit was not fulfilled 07.10.2009
“Azadlig” Newspaper editor-in-chief Ganimat Zahid(Zahidov) Baku Appellate Court	Appeal filed against the decision of Azizbayov District Court on 17 September 2009 adopted on his lawsuit to supersede the remainder of his prison term with lighter punishment.	Appeal was not fulfilled 09.11.2009
Editor-in-chief`s family Maryam Mammadova and Emil Mammadov	Lawsuit filed against the Finance Ministry, the Justice Ministry’s Penitentiary Services, the Chief Medical Office of the Justice Ministry, Prison #15 and the Penitentiary Service’s Treatment Facility regarding the “Tolishi Sado” Newspaper Editor-in-chief Novruzali Mammadov’s death. “	Trial continues
“Yeni Musavat” newspaper column writer, “Khalg” newspaper’s former editor-in-chief Mahal Ismayilglu Supreme Court	Because his motion to consider his appeal complaint from the verdict of the Absheron district court via court investigation was only partially fulfilled	Lawsuit was not fulfilled 18.11.2009
“Korrupsiya va Jamiyyet” Journal’s Editor-in-Chief Mammad Ahmedoglu Supreme Court	Binagadi District Court did not fulfill the lawsuit against the Press Council and the Council’s Deputy Chairman Vugar Rahimzade. Cassation complaint against decision upheld by Baku Appellate Court.	Trial continues
Youth bloggers – Adnan Hajizade and Emin Milli Baku Appellate Court	Appeal filed against decision of Sabail District Court on 11 November 2009 regarding youth bloggers	Trial continues
“Nota” newspaper editor-in-chief Sardar Alibeyli, chief adviser Faramaz Novruzoglu and newspaper employee Ramiz Tagiyev Supreme Court	Cassation complaint filed against the decision of the Appellate Court on 8 October regarding their imprisonment	Appeal was not fulfilled 09.12.2009
Adnan Hajizade`s father Hikmat Hajizade and Emin	Regarding the failure to fulfill their lawsuit against the Sabail district	Lawsuit was not fulfilled

Milli's father Pasha Abdullayev Baku Appellate Court	Police department investigator Ziya Aliyev regarding a violation of the right of respect to their personal and family life	09.12.2009
"Yukselish namine" Newspaper correspondent Elchin Hasanov, "Yeni Musavat" Newspaper former employee Afgan Mukhtarli and "Azadlig" Newspaper employee Natig Adilov Baku Appellate Court	Appeal filed against the decision of the Sabail District Court adopted on the lawsuit against the Sabail District procurator's office	Lawsuit was not fulfilled 09.12.2009

TABLE IV: SITUATION IN CONNECTION WITH ELECTRONIC MEDIA DURING SIX MONTHS OF 2009

Name of Mass Media	Date and details
Radio Liberty	The broadcasts of "Radio Liberty", "Voice of America" and BBC via FM frequencies in Azerbaijan were ceased on 1 January 2009 on the basis of a decision that Azerbaijan's National Television and Radio Council issued on 30 December 2008.
BBC radio station	The broadcasts of "Radio Liberty", "Voice of America" and BBC via FM frequencies in Azerbaijan were ceased on 1 January 2009 on the basis of a decision that Azerbaijan's National Television and Radio Council issued on 30 December 2008.
Avropa+Baku radio	The broadcasts of "Radio Liberty", "Voice of America" and BBC via FM frequencies in Azerbaijan were ceased on 1 January 2009 on the basis of a decision that Azerbaijan's National Television and Radio Council issued on 30 December 2008.
Idman-Azerbaijan (Sport-Azerbaijan)	Idman-Azerbaijan (Sport-Azerbaijan) TV channel began operating in Azerbaijan as of January 1 2009.
"Azad Azerbaijan" TV	As of January 3 at 2:00 p.m. the on land broadcast of the channel was ceased temporarily in the Nakhchivan Autonomous Republic on the basis of a decision issued by Nakhchivan National TV and Press Council. The broadcast was restored on 18 January 2009.
Media FM	As of 10 February new Media FM radio began operating in Azerbaijan.
"EITV"	On 05 March, in Yevlakh region, a new regional television - "EITV" began operating.

“ATV İnt”	“ATV İnt” which will be broadcast via satellite received a six year license.
www.vesti.az	On 14 March new news portal -" vesti.az " began Operating
“Milaz.info” site	On 3 July at approximately 4:00 p.m. hackers began to attack Milaz.info website and the site did not operate for several days.
Imprisoned Emin Milli` s account on “FaceBook” network	Imprisoned Emin Milli` s account on “FaceBook” network was closed.
Website of the Institute for Reporters` Freedom and Safety on Nakhchivan www.nakhchivan.org.az	Access to website was restricted in Nakhchivan Autonomous Republic since March 19. Nakhchivan Autonomous Republic Ministry of Communication and Information Technologies Internet Department said that this was connected to low speed of internet
musavat.com	“Yeni Musavat” newspaper website musavat.com was attacked by hackers on 10 August. Although web-technicians of the newspaper were able to prevent the hacker’s attack, the site ceased its operation temporarily from 4:30 p.m. to 7:00 p.m.
ATV-International” (ATV İnt)	On 5 October, International TV channel “ATV International,” (ATV İnt) which was established on the basis of “Azad Azerbaijan” TV began broadcasting.
Azerbaijan Services of “Voice of America” and “Radio Liberty”	Broadcasting of “Voice of America” and “Radio Liberty” via Turksat satellite was ceased from October 27 to November 9.
Lent.az news site	Website was subjected to hacker’s attack and did not operate on 20, 21 November.

TABLE V: LAWSUITS FILED IN CONNECTION WITH INACTIVITY OF GOVERNMENT ORGANS DURING SIX MONTHS OF 2009

Plaintiff and Court	Defendant and lawsuit	Decision issued and date
Head of the Center for Assistance to Free Economy Zohrab Ismayil Sabail District court	Against the State Oil Company of Azerbaijan Republic (SOCAR) to consider the lack of response from SOCAR to the information inquiry to be illegal.	Lawsuit was not fulfilled. 19.01.2009. Appellate Court upheld the decision. 02.04.2009
Head of the Center for Assistance to Free Economy Zohrab Ismayil Sabail District court	Central Election Commission To consider inactivity of High ranking Official Illegal	On 19 January a decision was issued not to fulfill the lawsuit.
Center for Election	Against Ministry of Communications	Result is unknown

Monitoring Founder Anar Mammadli Sabail District Court	and Information Technologies demanding to unblock the website www.emc-az.org within Azerbaijan after its registration was annulled.	
Head of the Center for Assistance to Free Economy Zohrab Ismayil (Ismayilov)	Against the Ministry of Labor and Social Security of Population to consider the refusal to answer an information inquiry he sent unfounded.	Result is unknown.
Head of the Center for Assistance to Free Economy Zohrab Ismayil	Against Education Ministry for failure to respond to an information inquiry	Lawsuit was not fulfilled. 10.03.2009
Head of the Center for Assistance to Free Economy Zohrab Ismayil (Ismayilov)	Against statistics Committee for failure to respond to an information inquiry.	Lawsuit was rejected because State Statistics Committee responds to an information inquiry. 01.04.2009
""Legal Enlightenment Society for Sumgayit Youth" Public Union Baku Economy Court #1	Against National TV and Radio Council (NTRC) for failure to grant a license to open a regional television channel in the Sumgayit region.	Lawsuit was not fulfilled. 29.06.2009
Defense League of Citizen's Labor Rights Chairman Sahib Mammadov Yasamal District Court	Against Ministry of Foreign Affairs for failure to respond to information inquiry	Result is unknown
Center for Election Monitoring and Training of Democracy (CEMTD) Public Union Yasamal District Court	Against the Ministry of Justice for failure to register the organization	Lawsuit was returned back. 16.06.2009
"Regional Human Rights and Education Center" Public Union Chairperson Latifa Malikova Yasamal District Court	Against Ministry of Justice for failure to register the organization	Lawsuit was not fulfilled 01.07.2009
"Nota" Newspaper Editor-in-chief Sardar Alibayli Nasimi District Court	Against the Minister of Labor and Social Security of the population of Fuzuli to consider failure to respond to an information inquiry to be unfounded	Result is unknown
"Nota" Newspaper Editor-in-chief Sardar Alibayli	Against Minister of Education Misir Mardanov to consider the inactivity of a high-ranking official to be	Lawsuit was fulfilled partially and issued a decision to consider that

Narimanov District Court	unfounded and demanded that the defendant pay 100 AZN in fines.	the ministry must respond to the information inquiry and consider the inactivity of a high ranking official illegal. 17.06.2009
Law Enlightenment Society President Intigam Aliyev	Lawsuit of Intigam Aliyev against the Lawyers Colleague (LC) to consider the failure to accept him to Lawyers Colleague's membership unfounded and lawsuit of LC against Intigam Aliyev to defend his business image.	Judge rejected I.Aliyev's lawsuit to consider failure to accept him to the Lawyers Colleague's membership unfounded. The judge did not fulfill the parties' demand for compensation against each other. 11.08.2009
Center for Election Monitoring and Training of Democracy (CEMTD) Public Union	Lawsuit against the Justice Ministry to consider the refusal by the ministry to register the NGO unfounded and in connection with violation of association.	Lawsuit was not fulfilled 02.09.2009
"Novoye Vremya" Newspaper Founder Musa Agayev Baku Appellate Court	Appeal filed against the decision of Yasamal District Court against Justice Ministry regarding failure to register "Yeni zaman" party	Appeal was not fulfilled 04.11.2009
"Center of Regional Human Rights and Enlightenment" Public Union Chairman Latifa Malikova Baku Appellate Court	Appeal filed against the decision adopted on the lawsuit against Justice Ministry	Appeal was not fulfilled 29.09.2009
Media Monitoring Institute	Appeal filed against the decision of Yasamal District Court adopted on the lawsuit of Media Monitoring Institute against Justice Ministry for rejection to accept for consideration.	Appeal was not fulfilled 02.11.2009
Law Enlightenment Society Sabail District Court	Lawsuit filed against plenipotentiary representative of Azerbaijan under the European Court of Human Rights Chingiz Asgerov for failure to respond to information inquiry	Lawsuit was not fulfilled 09.11.2009
Media Rights Institute	Lawsuit filed against State Commission on Radio Frequencies,	Trial continues

	State Radio Frequencies Office and National Television and Radio Council of Ministry of Communications and Information Technologies for keeping information closed which is considered open for public.	
“Yeni Musavat” newspaper Yasamal District Court	Lawsuit filed against State Customs Committee for failure to respond to information inquiry in the Yasamal District Court	Result is unknown

TABLE VI: EXPLANATION OF CHANGES AND AMMENDMENTS MADE TO LAW “ON TELEVISION AND RADIO BROADCASTING” OF AZERBAIJAN REPUBLIC IN MILLI MEJLIS ON 6 MARCH 2009

Original variant	Changed variant	Explanation
<p>Article 19.</p> <p>On the stoppage and revocation of production and dissemination of mass media</p> <p>The production and dissemination of mass media can be stopped temporarily or can be revoked only via decision of the founder or the court.</p> <p>Relevant executive organ:</p> <p>1. <i>if periodical press publications do not fulfill the demands in the fifth paragraph of Article 3 of this law;</i></p> <p>2) <i>if information or</i></p>	<p>Article 19.</p> <p>On the stoppage and revocation of production and dissemination of mass media</p> <p>The production and dissemination of mass media can be stopped temporarily or can be revoked only via decision of the founder or the court.</p> <p>Relevant executive organ:</p> <p>1) When a foreigner or somebody who does not have a university education is appointed to be editor of print mass media;</p> <p>2) When print mass media does not within ten (10) days of</p>	<p>The censorship of education and citizenship defined for a person holding Editor-in-chief position is a contradictory restriction. To revoke the activity of the publication for two months for not following this rule is an inadequate sanction and is rude intrusion in the freedom of speech.</p> <p>The sanction to cease the activity of the press organ for two months for failing to send free copies to state archives, National Library, Book Chamber, library of statutory organs and appropriate organs of the executive authority is inadequate, unfair and contradictory to the essence punishment law.</p> <p>This norm considers to punish the press, not the publications for editorial offices' failure to do what they are supposed to do.</p>

<p><i>calls are published (or put on the air) that damage the country's territorial integrity, security or public order, including pornographic material</i></p> <p>3) <i>if it is determined that a mass media institution is funded in contradiction with the law by a government structure of a foreign country or a physical and legal person;</i></p> <p>4) <i>if within one year a mass media institution is brought to responsibility for writing a biased article three times;</i></p> <p><i>can put forth a claim in the court for cessation of the production and dissemination of this mass media.</i></p>	<p>publication send free, obligatory copies to relevant government agencies;</p> <p>3) <i>When mass media is brought to administrative responsibility for abusing freedom of the press or journalists' rights, and then repeats the same violation within one year a lawsuit is filed against the press organ to revoke the activity of the publication for two months.</i></p> <p>Relevant executive organ:</p> <p>1) <i>if periodical press publications do not fulfill the demands in the fifth paragraph of Article 3 of this law;</i></p> <p>2) <i>if information or calls are published (or put on the air) that damage the country's territorial integrity, security or public order, including pornographic material</i></p> <p>3) <i>if it is determined that a mass media institution is funded in contradiction with the law by a government structure of a foreign country or a physical and legal person;</i></p> <p>4) <i>if within one year a mass media institution is brought to responsibility for writing a biased article three</i></p>	<p>According to one of changes, a lawsuit is filed against the press organ to revoke the activity of the publication for two months when mass media is brought to administrative responsibility for abusing freedom of the press or journalists' rights, and then repeats the same violation within one year. Cessation of the production of mass media for two months is a grave sanction, and its application as it indicated in this change cannot be justified. The closure of a press organ for even a short period of time can be applied in special cases when it is unavoidable under social attacks.</p>
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	<p><i>times;</i></p> <p><i>can put forth a claim in the court for cessation of the production and dissemination of this mass media.</i></p>	
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TABLE VII: EXPLANATION OF CHANGES AND AMMENDMENTS MADE TO LAW “ON TELEVISION AND RADIO BROADCASTING” OF AZERBAIJAN REPUBLIC IN MILLI MEJLIS ON 3 APRIL 2009

Original variant	Changed variant	Explanation
<p>Article 10. Private broadcasters</p> <p>10.1. Private broadcaster can be founded by permanent citizens of Azerbaijan living in Azerbaijan Republic and/or legal persons, Azerbaijan Republic Citizens living permanently in Azerbaijan republic to whom the regulations capital belongs.</p> <p>10.2. State Registration of private broadcasters is conducted in accordance with Azerbaijan republic’s legislation.</p> <p>10.3. Following cannot be founders of private TV and Radio broadcasting:</p> <p>10.3.1. persons accused of grave or especially</p>	<p>Article 10. Private broadcasters</p> <p>(Items in the original variant have been kept and 10.5 was added)</p> <p>10.5. Relevant government agencies must be informed about any proposed changes in the ownership or shares of a private tele-radio broadcaster a month prior. Within two months, the government will express its opinion about whether the proposed change comports to the law on Tele-radio Broadcasting, and then the changes shall be made. Private broadcasters have one month to present to relevant government agencies new documents reflecting the change.</p>	<p>This change considers supervision on the change of ownership on TV and Radio broadcaster in advance by National TV and Radio Broadcasting.</p> <p>This means if the person who has right of ownership on TV and Radio Company wants to sell his share, should submit information on some of the details of the deal – whom he wants to sell his share and which part of his share he wants to sell, and documents reflecting this information to NTRC. And NTRC will conduct investigation for two months, and gives or does not give its consent to the deal. This rule will open way to unfounded interferences into the right of broadcasting company to issue a decree on the property. Although this rule is aimed at examining of adherence to restrictions indicated in article 10 to the</p>

<p>grave crimes, or persons convicted for something against public moral and persons whose imprisonment is not over;</p> <p>10.3.2. persons whose work incapability or restriction of work capability is ratified by law;</p> <p>10.3.3. political parties;</p> <p>10.3.4. religious organizations;</p> <p>10.4. Private TV and Radio broadcaster can be financed by any source that is not prohibited by law.</p>		<p>law “On TV and Broadcasting” in connection with ownership, it cannot be considered adequate to that purpose.</p> <p>The supervision on the change of the ownership later on – the submission of information to NTRC in conclusion – is enough.</p>
<p>Article 11. On the government’s main functions and duties in the tele-radio broadcasting sphere</p> <p>11.4. To carry out functions defined by law relevant government organ:</p> <p>11.4.1. creates its administration and structure units;</p> <p>11.4.2. conducts registration of tele-radio broadcasters;</p> <p>11.4.3. . defines technical and quality standards and norms of tele-radio broadcasting;</p> <p>11.4.4. if the demands of the law and/or the conditions and rules of special agreements (licenses) are violated, a</p>	<p>Article 11. On the government’s main functions and duties in the tele-radio broadcasting sphere</p> <p>11.4. To carry out functions defined by law relevant government organ:</p> <p>11.4.1. . creates its administration and structure units;</p> <p>11.4.2. conducts registration of tele-radio broadcasters;</p> <p>11.4.3. defines technical and quality standards and norms of tele-radio broadcasting;</p> <p>11.4.4. if the demands of the law and/or the conditions and rules of special agreements (licenses) are violated, administrative measures are taken and/or a lawsuit</p>	<p>According to the proposed change to Article 11.4.6, in necessary cases (events that are significant to the public, elections, important athletic competitions, etc.) foreign television and radio stations have permission to broadcast via satellite within Azerbaijan.</p> <p>The rule established through this change is not related to broadcasts and places a limitation on broadcasting via satellite. This change can be interpreted to mean that satellite broadcasts of video and audio material can only occur with permission from the National Television and Radio Council.</p> <p>This proposed change creates countless questions. Equipment capable of transferring audio and visual material is not just associated with the broadcast media sphere;</p>

<p>lawsuit is filed;;</p> <p>11.4.5. Announces tender to grant special agreement (license) to tele-radio broadcasting, prepares rules and conditions of the contest and conducts the tender.</p>	<p>is filed;</p> <p>11.4.5. Announces tender to grant special agreement (license) to tele-radio broadcasting, prepares rules and conditions of the contest and conducts the tender. 11.4.6. In necessary cases (events that are significant to the public, elections, important athletic competitions, etc.) foreign television and radio stations have permission to broadcast via satellite within Azerbaijan</p>	<p>satellite telephones and various other means are capable of doing this. Audio and visual material can even be sent via internet or mobile telephone, something nearly everyone is capable of doing. From this perspective, it is illogical to place limitations only on foreign TV and radio broadcasters regarding satellite broadcasts. It is not clear what goal of this law this proposed change corresponds to. In any case, regardless, this interference should be seen as inappropriate.</p>
<p>Article 23. About the temporary and permanent revoking of special agreement (licenses)</p> <p>23.1. TV and Radio</p> <p>if the demands of this law and/or the rules and conditions of special agreements (licenses) are violated a special agreement (license) can be temporarily revoked for up to seven days through a court decision.</p> <p>23.2. Special agreement (License) can only be ended through court decisions in the following cases:</p> <p>23.2.1. . when special agreement (License) is received on the basis of information not relevant to reality provided by the</p>	<p>Article 23. About the temporary and permanent revoking of special agreement (licenses)</p> <p>23.1. TV and Radio</p> <p>if the demands of this law and/or the rules and conditions of special agreements (licenses) are violated a special agreement (license) can be temporarily or the broadcasting of a particular program can be revoked for up to one month through a court decision.</p> <p>23.2. Special agreement (License) can only be ended through court decisions in the following cases:</p> <p>23.2.1. . when special agreement (License) is received on the basis of information not relevant to reality provided by the broadcaster intentionally;</p>	<p>According to the proposed change to Article 23.1, is the demands of this law and/or the rules and conditions of special agreements (licenses) are violated a special agreement (license) can be temporarily or the broadcasting of a particular program can be revoked for up to one month through a court decision. This period was previously up to seven days.</p> <p>A one-month cessation of broadcasts is a very serious sanction. The cases in which such a sanction can be applied must be clearly shown in the law to prevent abuse and opportunities for disproportional interference.</p> <p>According to the proposed change to Article 23.2.6, a case in which special agreements (licenses) can be revoked has been</p>

<p>broadcaster intentionally; 23.2.2 if the broadcasting is not conducted within six months after the special agreement (License) is granted;</p>	<p>23.2.2 if the broadcasting is not conducted within six months after the special agreement (License) is granted;</p>	<p>added, and that case is when a broadcaster is sanctioned by relevant government agencies three times or more within one year. In this proposed change, it is unclear was sanctions and government agencies are being referred to in the expressions “broadcaster subjected to sanctions a minimum of three times within one year by relevant government agencies,” “relevant government agencies,” and “subjected to sanctions three times.” It can be hypothesized that the relevant government agency is the National Television and Radio Council. This Council only has the ability to apply small sanctions, namely to institute small fines and issue warnings for minor law violations. To revoke the licenses of</p>
<p>23.2.3. when the bankruptcy of the owner of the special agreement (License) is confirmed by court verdict in force;</p>	<p>23.2.3. when the bankruptcy of the owner of the special agreement (License) is confirmed by court verdict in force;</p>	<p>broadcasters who commit these minor violations is illogical, unjust and seems disproportional. The application of serious sanctions like revoking permanently or temporarily a broadcasting license should only be within the authority of the courts. It is not the practice in Azerbaijan to refer to courts as relevant government agencies.</p>
<p>23.2.4. when tele-radio broadcasting is not possible from the point of technical means;</p>	<p>23.2.4. when tele-radio broadcasting is not possible from the point of technical means;</p>	<p>In the near past, the National Television and Radio Council attempted to apply a similar argument when it revoked ANS’ license in November 2006.</p>
<p>23.2.5. when calls for coup-d’etat, conspiracy against government’s integrity, incitement of ethnic, national, racial and religious hatred, mass disturbance and terrorism are defended by the broadcaster or when intentionally creating conditions for these calls;</p>	<p>23.2.5. when calls for coup-d’etat, conspiracy against government’s integrity, incitement of ethnic, national, racial and religious hatred, mass disturbance and terrorism are defended by the broadcaster or when intentionally creating conditions for these calls;</p>	<p></p>
<p>23.2.6 In other cases considered by Azerbaijan Republic’s legislation.</p>	<p>23.2.6. when a broadcaster is sanctioned by relevant government organs three times or more within one year;</p>	<p></p>
<p>23.3. During Tele-radio broadcasting the application in connection with violation of special agreement (License) received by court should be considered within fifteen days and a relevant decision should be made.</p>	<p>23.2.7. In other cases considered by Azerbaijan Republic’s legislation.</p>	<p></p>
<p></p>	<p>23.3. During Tele-radio broadcasting the application in connection with violation of special agreement (License) received by court should be considered within fifteen days and a relevant decision should be made.</p>	<p></p>

		<p>According to the proposed change to Article 37.3, broadcasters must broadcast the same programming on their frequency throughout Azerbaijan (bans localized broadcasting). This limitation could potentially make it difficult for broadcasters to use most effectively their frequencies. It is difficult to justify the institution of this rule, which prevents programs oriented towards certain regions. In addition, in the switch to digital broadcasting, which is expected to occur in the near future in Azerbaijan, it will become possible for one frequency to be broadcast on several channels. From this perspective, the application of the rule proposed in Article 37.3 seems remote from public interest and cannot be considered correct.</p> <p>In general, the proposed changes appear to create unfounded limitations on the activities of broadcasters, needlessly increase the authority of the National Television and Radio Council, and restrict the development of broadcasters.</p>
<p>Article 37. Correspondent points, branches and offices</p> <p>37.1. Broadcasters can create correspondent points, branches and</p>	<p>Article 37. Correspondent points, branches and offices</p> <p>37.1. Broadcasters can create correspondent points, branches and offices</p>	

<p>offices in the area of Azerbaijan republic and outside of the country's borders.</p> <p>37.2. Correspondent points, branches and offices are structure units of tele-radio broadcasters and represent their interest.</p>	<p>in the area of Azerbaijan republic and outside of the country's borders.</p> <p>37.2. Correspondent points, branches and offices are structure units of tele-radio broadcasters and represent their interest.</p> <p>37.3. Broadcasters can broadcast only one programming on their frequency throughout Azerbaijan.</p>	
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TABLE VIII: CHANGES TO CONSTITUTION ADOPTED DURING 18 MARCH REFERENDUM THAT RESTRICT FREEDOM OF SPEECH AND WORK OF MASS MEDIA

Original variant	Changed variant	Explanation
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<p>Article 32</p> <p>Right to personal immunity</p> <p>I. Everyone has right to personal immunity.</p> <p>II. Everyone has right to protect secrets of his/her personal life and family. It is prohibited to interfere in personal life except defined by law.</p> <p>III. Gathering, keeping, using and distributing information about anyone's personal life without him/her knowing it is not allowed.</p> <p>IV. Government guarantees protection of the right to everyone's secret of correspondences, phone conversations, information transferred by posts, telegrams and other communication means. This right can be limited in accordance with law to prevent the crime from happening or to reveal the truth during the investigation of the criminal case.</p>	<p>Article 32</p> <p>Right to personal immunity</p> <p>I. Everyone has right to personal immunity.</p> <p>II. Everyone has right to protect secrets of his/her personal life and family. It is prohibited to interfere in personal and family life except defined by law.</p> <p><i>Everyone has right to protection from illegal intrusion in everyone's personal and family life.</i></p> <p>III. Gathering, keeping, using and distributing information about anyone's personal life without him/her knowing it is not allowed.</p> <p><i>Except in cases defined by law, nobody cannot be followed, and cannot be subjected to video or photo recording or this kind of actions without him knowing it or with him objecting to it.</i></p> <p>IV. Government guarantees protection of the right to everyone's secret of correspondences, phone conversations, information transferred by posts, telegrams and other communication means. This right can be limited in accordance with law to prevent the crime from happening or to</p>	<p>This change will create obstacles for mass media representatives to obtain information. Everyone has right to protect own personal and family secrets. However, journalists should also have right to disseminate information about sociopolitical figures without exposing their family secrets. This change however, not only deprives the journalists from this right, but also creates conditions for their imprisonment.</p>
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	<p>reveal the truth during the investigation of the criminal case</p> <p>V. Except for cases defined by law, everyone can be familiar with materials gathered about him. Everyone has right to demand that the material gathered about him and not conforming to reality, incomplete, or obtained through law violation be corrected or deleted (annulled).</p>	
<p style="text-align: center;">Article 50</p> <p>Expression Freedom</p> <p>I. Everyone has right to seek, receive, impart, prepare and disseminate any information through legal means.</p> <p>II. Mass media has freedom security. Government censorship is prohibited in mass media and press.</p>	<p>Article 50</p> <p>Expression Freedom</p> <p>I. Everyone has right to seek, receive, impart, prepare and disseminate any information through legal means.</p> <p>II. Mass media has freedom security. Government censorship is prohibited in mass media and press.</p> <p>III. Everyone has right to refute or to respond to information that are published in media outlets and/or violate their rights and are damaging to their interests. .</p>	<p>The right to respond and publish a refutation for information that are published in the mass media and violates people’s rights has been reflected in existing legislations – either in the law “On Mass Media” or in the Criminal Code. Therefore the addition of item 3 to Article 50 is not reasonable. This addition may cause abuse cases against media representatives as a result of biased attitude.</p>