



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Joint written statement\* submitted by Institute for Reporters' Freedom and Safety, Institute for Human Rights, non-governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 January 2024]

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\* Issued as received, in the language of submission only.



## Journalists' Safety in Jeopardy

Institute for Reporters` Freedom and Safety would like to address the Human Rights Council at its 56th Session under the General Debates on Item 3 “Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development” on journalists` safety and various threats they are facing in regard to their professional activities in Azerbaijan.

Regrettably, the overall environment in the country has never been favorable for independent media outlets and journalists.

Since December 2021 the Media Law in Azerbaijan introduced numerous restrictions that hinder the freedom of expression in the country, mainly : “creation of a single registry of media entities, with especially restrictive conditions for journalists to be included in this registry, the issuing of press cards by a state agency to eligible journalists, the requirements pertaining to the establishment of media entities, including on-line media, the licensing of all audiovisual media and restrictions on foreign ownership of media” [1].

Despite being criticized by a vast majority of human rights organizations, including the Venice Commission in its opinion dated June 20, 2022, Azerbaijan didn`t improve its internal policy on media freedom.

The constant violation of the right to freedom of expression and media freedom is evident in the harassment and intimidation faced by journalists and individuals publicly criticizing the government. Surveillance, facilitated through illegal spyware means, further exacerbates the challenges. The restrictive legal framework under which journalists operate, inclusive of criminal sanctions for defamation, compounds the infringement on these rights.

Institute for Reporters` Freedom and Safety welcomes the Report of the United Nations High Commissioner for Human Rights as of 18 December 2023 on the Expert seminar on legal and economic threats to the safety of journalists that was held on 25 April 2023 in a hybrid format. The discussion of such nature is of particular importance in addressing intimidation, legal threats and abusive litigation against journalists. Participation of the Institute for Reporters` Freedom and Safety in the seminar highlighted the challenges faced by the Azerbaijani media workers not solely within the country, but those working in exile as well [2].

Unfortunately, the situation with the safety of journalists has deteriorated sharply since mid-November 2023. Based on our data, the number of political prisoners in Azerbaijan has risen to 200 individuals, including 21 journalists.

The crackdown was marked with the arrest of Abzas Media core team members - Ulvi Hasanli, Mahammad Kekalov and Sevinj Vagifgizi, accused of foreign currency smuggling [3]. Moreover, Mr. Hasanli and Mr. Kekalov also allege that they were ill-treated by police during their apprehension on 20 November [4].

Later, in December 2023 and January 2024, 2 more journalists were detained in relation to the investigation of the Abzas Media case. Thus, despite the incomplete nature of the evidence against them, journalists Nargiz Absalamova and Elnara Gasimova are currently held in custody.

Moreover, Hafiz Babaly, one of the most prominent investigative journalists in Azerbaijan, editor of the economic department of Turan News Agency – independent news agency in Azerbaijan, former Deputy of the Board of the Institute for Reporters` Freedom and Safety, was arrested on 13 December 2023 in relation to charges against Abzas Media, even though he is not the member of this media outlet. Mr. Babaly was identified as a suspect in the foreign currency smuggling case against Abzas, and his bank accounts were frozen.

Another appalling case is of Aziz Orujev's arrest, the head of the "Channel-13" YouTube project. Initially accused of unauthorized construction, he later faced additional charges of smuggling as brought by the authorities. While the defense claims the absence of corpus delicti in the actions incriminated to Mr. Orujev, the court refrains to change the preventive measure in the form of arrest. Notably, that Mr. Aziz Orujev has previously been subjected to criminal prosecution. In 2017, he was sentenced to 6 years in prison and was recognized as political prisoner [5].

Journalist Shamo Eminov, who worked with the "Channel-13" became another target of political repressions against journalists. On 22 December 2023, just like the head of the media outlet, Mr. Eminov was apprehended on charges of smuggling, even though there were no evidence of him committed any wrongdoing. During the interrogation, Eminov was subjected to alleged pressure and threats [6].

Shortly before, on December 11, 2023, journalist Ibrahim Humbatov (Ibrahim Gubadoghlu), the head of the news website Azerinfo.az, and Teymur Kerimov, the head of the YouTube channel "Channel-11," were arrested and charged with the same offense - "extortion by threats." No apparent links connect their cases, while allegations are based on the "complaints from several citizens" [7,8].

Additionally, during the end of December 2023 - beginning of January 2024, a chief editor of Dunyaninsesi.az website Arshad Ibrahimov, the head of «Gündəlik Bakı» newspaper Habil Veliyev and blogger Arzu Sayadoglu were arrested under bogus charges.

Moreover, Azerbaijani courts not only engage in unreasonable arrests but also impose disproportional punishments on media workers and journalists. This is exemplified by the recent case of Osman Narimanoglu (Rzayev), the editor of "Demokratik.az," who was sentenced to 6.5 years in prison on 25 January 2024 for alleged extortion. Narimanoglu contends that the charges are fabricated in response to his journalistic exposes on official corruption, prompting the defense to plan an appeal against the verdict [9].

Institute for Reporters' Freedom and Safety strongly believes that the true nature of their prosecution is the implementation of high-profile journalistic anti-corruption investigations and daily publications revealing systematic and massive violations of socio-economic and political rights of Azerbaijani citizens.

Unfortunately, the list of imprisoned journalists and bloggers continues to grow with the names of those who have been sentenced for their activities for a couple of years now, mainly Polad Aslanov, Aslan Gurbanov, Rashad Ramazanov, Elnur Shukurov, Jamil Mammadli, Elvin Isayev, Mahsud Mahmudov.

The dynamics of intensified repression, which has lasted for more than a year and was marked by the arrests of such prominent critics of the authorities as journalist Avaz Zeynalli; human rights activist Bakhtiyar Hajiyev; eco-activist Nazim Beydemirli; political figure, a member of the Musavat Party and the National Council of Democratic Forces Tofiq Yagublu; trade union activist Afiyaddin Mammadov and economist Gubad Ibadoglu, as well as the toughening of legislation regulating the work of the media and political parties, indicates a deeply disturbing trend of the government tightening its grip on independent journalism in Azerbaijan.

Journalists and their family members face not only legal but also economic threats, with instances of bank accounts being frozen, imposing financial hardships. In relation to the most recent escalation, more than 10 families of targeted journalists provided their first-hand testimonies of personal bank accounts being frozen, depriving them of ability to sustain their livelihoods and only exacerbating the challenges faced by those already grappling with the consequences of persecution. Additionally, the physical threats they encounter compound the challenges, creating a hostile environment that hinders their ability to carry out their journalistic duties freely and without fear of reprisals. The confluence of legal, economic, and physical threats underscores the multifaceted dangers confronting journalists in Azerbaijan, posing a severe risk to their well-being and journalistic independence.

In conclusion, the alarming trends of arrests, legal restrictions, economic pressure, and physical threats underscore the precarious situation journalists face in Azerbaijan. The sustained pattern of repression and intimidation not only jeopardizes the safety and freedom of journalists but also poses a grave threat to the principles of independent journalism and freedom of expression.

The Institute for Reporters' Freedom and Safety urgently calls upon the Human Rights Council to focus its attention and engage in concerted efforts to safeguard the well-being and pivotal role of journalists in nurturing a democratic and informed society in Azerbaijan.

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1. Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the Law on Media, adopted by the Venice Commission at its 131st Plenary Session (Venice, 17-18 June 2022);
  2. Report of the United Nations High Commissioner for Human Rights, A/HRC/55/39
  3. <https://www.irfs.org/news-feed/the-court-arrested-ulvi-hasanli-and-sevinj-vagifgyzy/>
  4. Report by Mr. Mogens Jensen, Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Azerbaijan, 23 January 2024
  5. <https://www.irfs.org/news-feed/the-court-arrested-aziz-orujev-for-3-months/>
  6. <https://www.kavkaz-uzel.eu/articles/395688%207>
  7. <https://www.irfs.org/news-feed/teymur-kerimov-is-accused-of-extortion-interior-ministry/>
  8. <https://www.irfs.org/news-feed/head-of-azerinfo-az-website-detained/>
  9. <https://www.irfs.org/news-feed/the-court-sentenced-the-editor-of-the-site-demokratik-az-to-6-5-years-of-imprisonment/>