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Freedom of expression in Azerbaijan

Greens/EFA motion for resolution

Tabled by ***Ulrike Lunacek, Heidi Hautala*** *and* ***Barbara Lochbiler***
On behalf of the Green/EFA Group in the EP

The European Parliament,

 having regard to its previous resolutions on Azerbaijan and in particular the ones of 9 June 2005 and 27 October 2005,

- having regard to its resolution of 15 November 2007 on Strengthening the European Neighbourhood Policy,

- having regard to its resolution of 17 January 2008 on a more effective EU policy for the South Caucasus,

- having regard to the statements of the OSCE Representative on Freedom of the Media on the deteriorating media situation in Azerbaijan, including his statements of 22 May 2007, 11 April 2008, 17 July 2008, 30 Dec 2008, 21 April 2009, 10 Sep 2009, 14 Oct 2009 and 11 Nov 2009,

- having regard to the EU's statement in the OSCE Permanent Council 9 July 2009 of its full support for the work of the OSCE Representative on Freedom of the Media in relation to Azerbaijan and to the statement of the EU Presidency of 12 Nov 2009 on the conviction of the youth activists and bloggers Emin Milli and Adnan Hajizade,

- having regard to the reactions to the erosion of the freedom of the media in Azerbaijan also from the Parliamentary Assembly of the Council of Europe and non-governmental organisations such as the Committee to Protect Journalists, Reporters Without Borders, International Pen, Freedom House, Amnesty and Human Rights Watch,

 having regard to Rule 115 of its Rules of Procedure,

A. whereas Azerbaijan is actively participating in the European Neighbourhood Policy and the Eastern Partnership and is committed to respect democracy, human rights and the rule of law that are core values of these two initiatives

B. whereas in September 2009 the Council decided to enhance the relations between the EU and the three countries of the South Caucasus and invited to the Commission to prepare draft negotiating directives for new agreements replacing the present Partnership and Cooperation Agreements due to expire soon,

C. whereas on 11 November 2009 Baku's Sabail region court sentenced the bloggers Emin Abdullayev to 2.5 years and Adnan Hajizade to 2 years of imprisonment on charge of hooliganism and inflicting minor bodily harm,

D. whereas the two bloggers had used online networking tools including Youtube, Facebook and Twitter to disseminate information about the political situation in Azerbaijan criticizing the country's government,

E. whereas Emin Abdullayev and Adnan Hajizade were arrested on 8 July after being attacked by two men in a restaurant in the capital Baku where according to witnesses interviewed by Amnesty International the two bloggers were assaulted while dining with other activists; whereas according to the defence, during the trial the court refused to consider photographs showing the injuries sustained by the two bloggers and to consider video evidence from mobile phones and a security camera with no explanation,

F. whereas charges against the two activists appear to be politically motivated and fabricated to curtail their right to freedom of expression and in response to their criticism of the Azerbaijani authorities,

G. whereas the media climate has deteriorated during the last years in spite of the adoption of the European Neighbourhood Policy Action Plan with the temporary closure of independent TV and radio broadcasters, the evictions from their offices of leading opposition newspaper and numerous court cases against members of the media and physical attacks on journalists that have caused a widespread sense of fear and self-censorship among journalists; whereas in December 2008, the BBC, Radio Free Europe / Radio Liberty and other foreign media were barred from broadcasting on FM radio frequencies; whereas threats, violence, prosecution and imprisonment of journalists working for remaining independent media have continued in 2009,

1. Deplores the sentencing on 11 November 2009 of the bloggers Emin Milli and Adnan Hajizada to harsh prison terms on the basis of highly unlikely charges and after court hearings in which the prosecution witnesses became notorious for their faulty memories; calls for the immediate release of Mr Milli and Mr Hajizada and a new, fully open trial on the basis of an unbiased police investigation and conforming to all relevant international standards;

2. Stresses that the safety of media workers must urgently be strengthened and expresses its deep concern at the frequent convictions of journalists; calls for the swift adoption of the pending amendments to the Criminal Law provisions on defamation and insult; draws the attention to the vital role of media freedom, including internet freedom, also in the fight against corruption and the building of a modern society;

3. Deplores the series of negative developments in relation to the media and individual journalists in Azerbaijan listed in the Background Report on Respect for Media Freedom recently prepared for the Committee on Culture, Science and Education of the Parliamentary Assembly of the Council of Europe; notes the fresh Regular Report to the OSCE Council of the OSCE's Representative on Freedom of the Media, as well as the deep concerns expressed by international NGOs such as the Committee to Protect Journalists, Reporters Without Borders, International Pen and Human Rights Watch;

4. Calls on the Azerbaijani authorities to demonstrate sufficient progress in meeting the conditions for the upgrading of contractual relations as stipulated in the Declaration by the European Council on the Eastern Partnership of 19-20 March 2009, notably in the area of democracy, the rule of law and human rights;

5. Welcomes the efforts by the Azerbaijani authorities, including the two meetings held in 2009 by Azerbaijan's State Commission for European Integration, to improve the existing mechanisms of protection of human rights and enhance the capacity of the democratic institutions in the country and calls on the EU and Azerbaijan to step up their dialogue on human rights issues;

6. Welcomes the Azerbaijani authorities' participation in the review of Azerbaijan at the sixth meeting of the UN Working Group on the Universal Periodic Review (UPR) held on 6 February 2009; calls on the Azerbaijani government to fully implement the UPR recommendations, including by ratifying the Rome Statute of the International Criminal Court decriminalising defamation and libel to eliminate unnecessary pressures on journalists, ensure the full respect of freedom of expression and media freedom as well as the access to broadcast media, investigating and prosecuting perpetrators of crimes and harassment against journalists and human rights defenders; effectively implementing the right of peaceful assembly and freedom of association; improving prison conditions and protecting the rights of vulnerable groups, including ethnic minorities, migrants, asylum seekers and internally displaced persons;

7. Looks forward to the implementation of the Azerbaijani government's project "Support for Justice Reforms in Azerbaijan", meant to improve the independence of the judiciary, and looks forward to its implementation, in particular concerning the establishment and functioning of the Academy of Justice and the regional justice departments as well as support to reforms in the penitentiary system;

8. Stresses that the UN Special Rapporteur on the Freedom or Religion or Belief in 2006 concluded that there is "real religious harmony" in Azerbaijan and urges the Azerbaijani authorities to prevent and where necessary reverse trends towards a deterioration; calls on the Azerbaijani central and local authorities to respect all the religious buildings and material belonging to the different religious categories throughout the country;

9. Notes the outcome of the nationwide referendum in March 2009 on amendments to the Azerbaijani Constitution, including the removal of the limit on the number of terms that the president can serve and expresses concern about the implications of this referendum on the constitutional order in Azerbaijan and on the democratisation of the country;

10. Welcomes the ongoing efforts of all political parties in Azerbaijan taking part in the 23 December 2009 local elections to ensure that these elections will be free, fair and in line with international standards and acknowledges the importance of the electoral process in the state-building process through continued democratic reforms at local level, consolidation of the civil society and the overall political system*;*

11. Welcomes the establishment of the new sub-committees under the EU-Azerbaijan Cooperation Committee, which will strengthen the institutional framework that will allow for the discussion in the field of Justice, Freedom and Security and on respect for human rights and democracy, as well as employment and social affairs, public health, education and youth, culture, information society and audio-visual policy, science and technology;

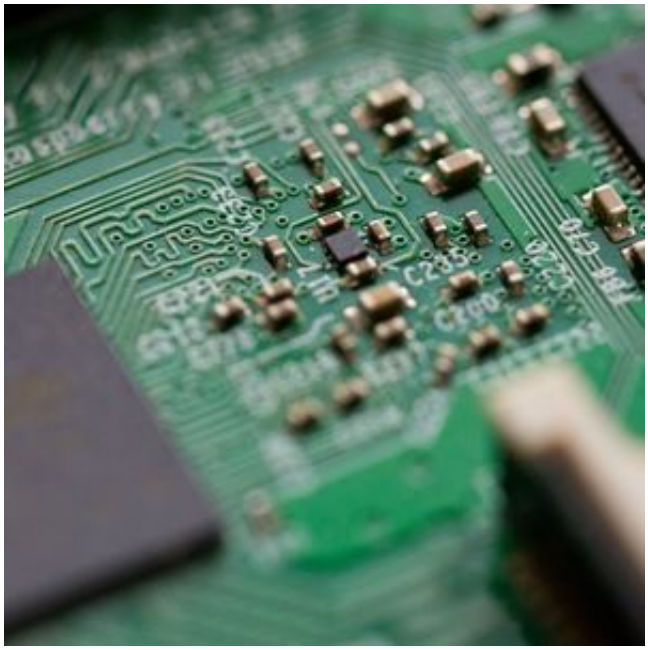
12. Supports the objective of the EU and Azerbaijan reaching a significant degree of economic integration and political cooperation and calls, in this respect, for renewed efforts by Azerbaijan to fully implement the ENP Action Plan and on the European Commission to continue to assist Azerbaijan in this;

13. Instructs its President to forward this resolution to the Council and the Commission and to the President and the Parliament of Azerbaijan.

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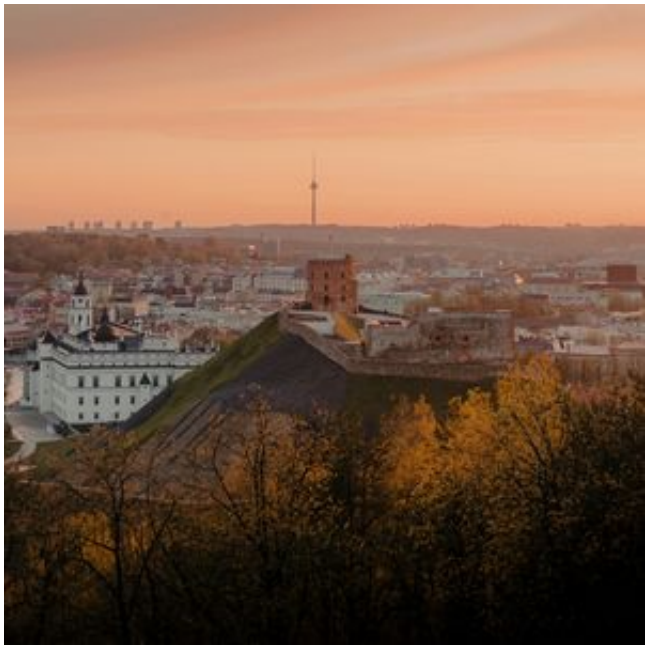
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