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# AZERBAIJAN

It was a year of arrests, harassment, and lawsuits with excessively high fines for journalists. With eleven imprisoned in 2012, Azerbaijan remained one of top 10 global jailers of the press. Journalists work under restrictions and constant harassment. Crimes against the press are poorly investigated. At least 60 reported cases of violence against journalists were logged, and many more unreported due to fear of further reprisals. Another 35 lawsuits were filed against media outlets. Libel remains a criminal offense. Access to public information is a struggle. Press enquiries are delayed or ignored altogether. In many areas, the government of President Ilham Aliyev, who took over the job from his father, appeared to be cracking down on the press.

An impressive number of over 5,000 TV channels, radio stations, and newspapers does not translate into a pluralism of views. Broadcast media, including Public broadcaster ITV and state-owned AzTV, are under the strict control of the government. Only one TV station, ANS, provides anything approaching balanced reporting, but it struggles to attract revenue due to selective advertising by risk-averse companies in the market. Newspapers that are critical of the government are struggling with court-imposed fines.

In 2012, parliament further restricted public access to information by banning information about registration and ownership of commercial companies in Azerbaijan. Independent experts criticized this as a step backward, at a time when the country has made public commitments to become more transparent.

Self-censorship is widely practiced. Journalists don't feel that law enforcement and juridical systems can secure them. Suspect investigations of crimes against journalists further contribute to the feeling of impunity among enemies of the free press.

In contrast, Internet media is gathering momentum. In 2012, Internet users reached more than 3.6 million, about 40 percent of the population. In the absence of freedom in the traditional media, blogs are used to comment on political developments, and YouTube to post videos showing mass protests and crackdowns at rallies.

In the absence of any advertising, the government continued to offer news outlets grants through its newly established State Council to Support the Media. Observers say newspapers, barely surviving, are reluctant to lose this newfound source of income.

While the Ministry of Communications and Information Technologies lowered online service tariffs, Internet still remains expensive compared to neighboring countries. Azerbaijan's Internet access and digital broadcasting are expected to increase with the country's first telecommunications satellite, to be launched into the orbit in 2013.

# AZERBAIJAN at a glance

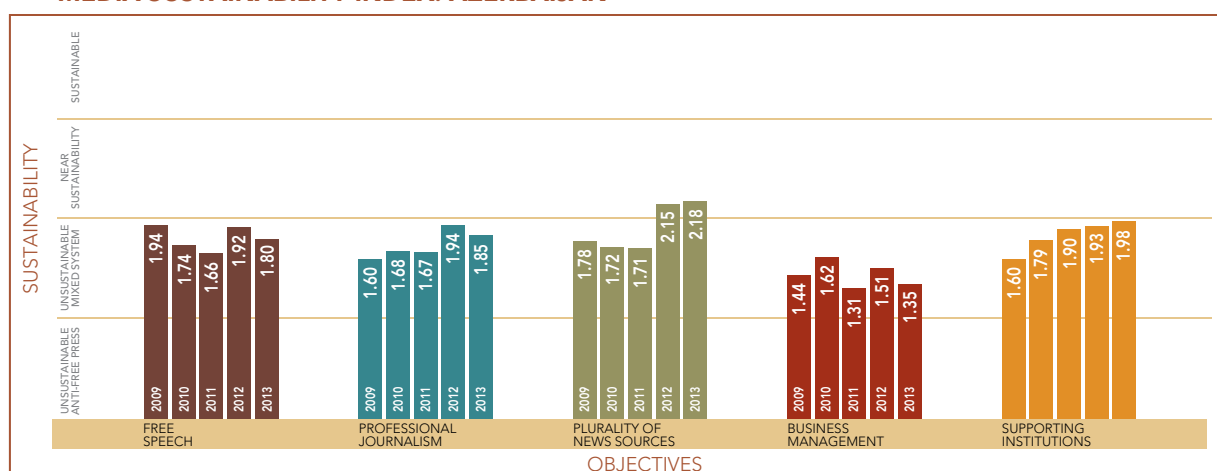
## GENERAL

- > Population: 9,590,159 (July 2013 est., *CIA World Factbook*)
- > Capital City: Baku
- > Ethnic Groups (% of population): Azeri 90.6%, Dagestani 2.2%, Russian 1.8%, Armenian 1.5%, other 3.9% (1999 census, *CIA World Factbook*)
- > Religions (% of population): Muslim 93.4%, Russian Orthodox 2.5%, Armenian Orthodox 2.3%, other 1.8% (1995 est., *CIA World Factbook*)
- > Languages (% of population): Azerbaijani (Azeri) 90.3%, Lezgi 2.2%, Russian 1.8%, Armenian 1.5%, other 3.3%, unspecified 1% (1999 census, *CIA World Factbook*)
- > GNI (2011-Atlas): \$48.519 billion (World Bank Development Indicators)
- > GNI per capita (2011-PPP): \$8,960 (World Bank Development Indicators)
- > Literacy rate: 99.8% (male 99.9%, female 99.7%) (2010 census, *CIA World Factbook*)
- > President or top authority: President Ilham Aliyev (since October 31, 2003)

## MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations: Print: 36 dailies, 100 weeklies, 85 monthlies; Radio stations: 9 AM, 17 FM; Television stations: 23 (9 broadcasting nationwide, 14 regional)
- > Newspaper circulation statistics: Most widely read publication is the opposition newspaper *Yeni Musavat*
- > Broadcast ratings: Top three television stations: ANS-TV, Azad TV, and Khazar TV (AGB/Nielsen)
- > News agencies: Turan, Trend, APA, Day.Az, and 1news.az (all private); Azertac (state-owned)
- > Annual advertising revenue in media sector: Newspapers: about \$1 million; Television: approximately \$30-\$40 million (figures are not publicly released)
- > Internet usage: 2.42 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: AZERBAIJAN



## MEDIA SUSTAINABILITY INDEX 2013: OVERALL AVERAGE SCORES



### CHANGE SINCE 2012

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Scores for all years may be found online at [http://www.irex.org/system/files/EE\\_msiscorres.xls](http://www.irex.org/system/files/EE_msiscorres.xls)

## OBJECTIVE 1: FREEDOM OF SPEECH

Azerbaijan Objective Score: 1.80

Azerbaijan's constitution guarantees freedom of speech, media and other basic human rights. Article 50 of the Constitution states this explicitly, codifying that "everyone is free to seek, acquire, transfer, prepare, and distribute information." On June 12, 2012, this article underwent important changes as the parliament voted to restrict public access to information about registration and ownership of commercial companies in Azerbaijan. The adopted amendments curtail information about the owners' charter capital and other corporate data. As a result of the amendments, the tax authorities scrapped the ownership information of corporations it had on its website that journalists could use.

The panelists characterized the new amendment as a step backward. In their view, at a time when the country has pledged to become more transparent, the amendment was clearly meant to make it difficult for journalists to reveal who was behind local and foreign assets. Media lawyer Alasgar Mammadli argues that new reading leaves space for maneuver and falsification. "Before everyone knew what the limitations to access to commercial information were. The new ones are abstract. Terms like 'national,

### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

#### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

"There are areas that the Azerbaijani public should not know anything about—these are the business and oil profits [of the ruling elite] and how these profits are used," Alizade commented. "Those at the top of the hierarchy can not only not be criticized in the media, they may not even be discussed."

economic, financial, and other interests' can be interpreted in many ways."

Media expert Zardusht Alizade believes that the amendment is designed to better protect information on the commercial profits of the ruling elite. "There are areas that the Azerbaijani public should not know anything about—these are the business and oil profits [of the ruling elite] and how these profits are used. Those at the top of the hierarchy can not only not be criticized in the media, they may not even be discussed."

Azerbaijan remained infamous for the number of arrested journalists. According to the Media Rights Institute, eleven journalists were sentenced to prison in 2012. The president's New Year's Day decree pardoned two journalists, while seven remain behind bars. The trend of imprisoning journalists for charges other than libel continued. Chief editors Avaz Zeynalli of *Khural* newspaper, Nijat Aliyev of *Azadxeber.org*, Hilal Mammadov of *Talishi Sado*, and Araz Quliyev of *Xeber44.com* were arrested on charges of treason, corruption, hooliganism, abuse of power, and others. Regional *Khayal TV* journalists Vugar Qonaqov and Zaur Quliyev were arrested for posting a YouTube video featuring local governor's speech that was alleged to have sparked public disorder. Journalist Faramaz Novruzoglu was sentenced to four and a half years in jail on charges of inciting mass disorder via social media. Novruzoglu said he did not own the Facebook page in question and that the charges were fabricated. Most of these arrests were widely seen as retaliation for press reports critical of the government.

Crimes against journalists were poorly investigated. According to the Media Rights Institute, in 2012 there were 60 reported cases of violence against journalists. In none of these attacks were the perpetrators punished. The blackmail of female investigative journalist Khadija Ismayilova demonstrated the lengths the authorities will go to silence critical press. When Ismayilova, radio host for Radio Free

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Europe/Radio Liberty’s Azeri service, received a threatening message and intimate photos of her taken by a hidden camera, she took the matter to the General Prosecutor’s office. But before an investigation was launched, the intimate video was released online. The incident showcased that journalists are not only followed and their phones tapped, but that they were not safe even in their own bedrooms.

Many incidents of attacks and other forms of intimidation go unreported as journalists fear further repressions, especially against family members. No progress was made in the unsolved murder cases of prominent journalists Elmar Huseynov in 2005 and Rafiq Taghi in 2011.

Habib Munteziri is a successful Internet activist based in Germany, whose YouTube channel enjoys the highest popularity ratings among Azerbaijani subscribers. Munteziri said he receives many videos from individuals who fear posting the content themselves. Asked whether he would do his job while based in Azerbaijan, he said he probably would not. “My biggest dream is to visit the grave of my mother, who died two years ago. I want Azerbaijan to be a county where youth activists like me can go back and lay flowers on their mothers, regardless of their personal political views,” he said.

Lawsuits with unrealistically high fines are another way to pressure the free media. Altogether 35 lawsuits were compiled against media organizations for libel and other charges. As in the past years, the majority of the suits were filed against the most critical opposition newspapers, *Yeni Musavat*, *Azadlig*, *Khural* and others. *Azadlig* newspaper ended 2012 with a tally of 62,000 AZN (\$79,000) in court fines. For *Yeni Musavat*, it was a year of battles with high-ranking government officials and their relatives, including Emergencies Minister Kamalladdin Heydarov’s family company Gilan, Transportation Minister Ziya Mammadov’s son Anar Mammadov, President Ilham Aliyev’s brother Jalal, Defense Minister Safar Abiyev and six of his generals, and the border service head Elchin Qulliyev. Rauf Arifoglu, editor-in-chief of *Yeni Musavat*, considers that

the biggest challenge for Azerbaijan’s newspapers is the fact that courts are not free and are ‘totally dependent on executive power.’ “We cannot win any of these cases. No matter who files against us and who is right or wrong, we lose all of the lawsuits. And newspapers are obliged to pay ridiculously high fines,” he lamented.

Licensing for broadcast media remained political. The National Television and Radio Council (NTRC) remained nominally in charge of licensing, though it is widely seen as an implementing instrument of the president’s office. On December 2012, NTRC granted frequencies to the first regional radio channel in Azerbaijan. The winner of the tender, Kapaz TV and Radio Company, is to open first radio station outside of capital, Baku, based out of the western city of Ganja. While the opening of new radio stations in the regions was welcomed, however, the conduct of the tender was rather hasty, not providing sufficient time for potential competitors to apply and therefore was not seen as credible.

The panelists agreed that NTRC was often seen intervening in editorial and commercial choices of broadcast companies. For instance, on NTRC demanded that all marriage shows be pulled from television due to the supposedly improper moral values these programs were publicizing. It wasn’t clear how the demand was legally substantiated. On May 2012, NTRC has successfully stopped broadcast of all foreign TV shows on Azerbaijan’s national television channels. There was no written decision made public by NTRC, however, all national TV stations received a letter by the Council saying that starting from May 1, all the stations that are still running foreign TV series will be fined. It is believed that the act was designed to curb foreign influences. Even popular TV shows from Turkey, with which Azerbaijan has close strategic, linguistic, and cultural ties, were banned. Media lawyer Mammadli opined that NTRC’s act was illegal. “It is illegal to impose such a restriction on television stations. NTRC can intervene in cases of pornography, racial, religious and other forms of discrimination, but it has no authority to tell TV channels what shows they can and cannot broadcast. It is a gross violation of law.”

In contrast with broadcast media, registration of print media was easier. The process required the submission of a letter to the Justice Ministry identifying its chief staff and providing an overview of the new media outlet. The newspaper and/or magazine can be started in five days of the submission of the letter. Azerbaijani print media continued to enjoy a VAT exemption for production and distribution. MP Rasim Musabyaov characterized print media registration as “exemplary.” “No licensing required, anyone can open his or her paper in a matter of days,” he claimed. However, all panelists agreed that there was a stark divide between print and broadcast media in Azerbaijan.



Well-known media expert Zardush Alizade considers that the reason the government keeps strict control over television, but has liberated the registration of print media, is because the latter has incomparably lower reach level. Circulation of the majority of newspapers ranges between 500–5000. The most popular newspaper, *Yeni Musavat* reaches its highest circulation of 12,000–15,000 in the elections period.

Libel remains a criminal offense in Azerbaijan despite media rights activists' efforts to decriminalize it. MP Musabeyov confirmed to the panel that new draft law on Defamation and Libel was still in the parliament, but he also sided with the majority of parliament that it was too early to decriminalize libel. "I myself am a former member of Press Council Committee, investigating complaints against newspapers. What would you do to 'journalists' who uses their press ID to blackmail innocent people?" he asked.

Apparently due to negative international attention, journalists are imprisoned for charges other than libel. In the past couple of years, journalists were jailed on charges such as illegal possession of narcotics, weapons, hooliganism, treason, terrorism, instigating public turmoil, and others. Independent observers say most of these cases were politically motivated.

Access to and use of international information sources is nearly unobstructed except days of remembrance of late president, and father of the current president, Heydar Aliyev, and some national days of mourning, like Remembrance Day (January 20). On these days broadcast of foreign channels by many cable companies is halted. Otherwise, over the past year no foreign news outlet was blocked, filtered or otherwise restricted. Journalists were able to use internal and external media sources.

Access to public information remains problematic. Government entities do not feel themselves accountable to press. Press enquiries are delayed or ignored altogether. These barriers to obtaining verifiable information leads to journalists publish rumor, conjecture, and unverifiable information from anonymous sources. Journalist Jahan Aliyeva says that no matter how many press enquiries you send using email, fax, letter, followed by phone calls, your enquiry is dealt with only if you have personal contacts.

Military forces and law-enforcement agencies are the hardest to obtain information from. In 2012, the Ministry of Defense used various methods to pressure independent media not to make public news about non-combat deaths in the army. Relatives of dead soldiers approached news outlets claiming that their children did not die due to natural causes, but claiming that they were killed, or beaten to death. There is no mechanism in place for civilians, including parents, NGOs, and journalists, to investigate these deaths.

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Journalists are not allowed into the army units to conduct independent investigations. The press service of the Ministry of Defense claims that commissions comprising military and public officials are set up with regard to each of the cases of abuse and death. But it was not possible to identify who was on these commissions, if there really were any. Human Rights Ombudsman Elmira Suleymanova also admitted to the press that she had no authority to access military units.

The Public Chamber at the Penitentiary Service of the Justice Ministry is doing a somewhat better job. The Chamber consists of ten members, most of whom are accessible to the public. The head of the Chamber, a parliamentarian and former rights activist Chingiz Ganizade, responds to media enquiries with regard to access to prisoners and their problems.

The state and public media generally enjoys better access to information than those working for independent and pro-opposition media. For instance, an independent Turan news agency reporter has a smaller chance of getting into an official or state event than colleagues from pro-government Trend or APA news agencies. Among government representatives, journalists identified Ali Hasanov, director of the Public Political Department of the President's office, as the most accessible official to the press. Ali Hassanov's exclusive interviews often appeared in the leading opposition daily *Yeni Musavat*. Interviews with government ministers were rare. Ministers preferred standing press briefings opportunities to in-depth exclusive interviews. President Aliyev continued his policy of granting interviews to foreign journalists only. No local journalist had a sit-down, one-on-one interview with the president to challenge him on domestic policy issues.

The perception of media freedom varied. MP Musabeyov considers that Azerbaijani news outlets may not seem as free as US ones, but are way ahead of neighboring Central Asian countries. "Take our opposition newspapers, they can say whatever they want and they have been enjoying this freedom for a long time," he said. Arifoglu considers that freedom of media was not something guaranteed by

According to Arifoglu, “Every journalist has this question in their mind: What will happen to me if I speak to this person or write this piece? And there is a reason for this. Journalists in this country have been killed, stabbed, kidnapped, and beaten.”

Azerbaijani constitution and they have to “pay a high price” to maintain it.

Entry into the journalism profession is free and does not require special licensing. The Media Council issues press cards to practicing journalists but it is for the purpose of facilitating attendance at events only. The panelists felt that introducing some kinds of filters for the journalism profession would not hurt if they were approved by the press community and served to the increase of professionalism of journalists, rather than hinder their work.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

Azerbaijan Objective Score: 1.85

Fair and objective reporting remains one of the major challenges of the Azeri media. Only a few media outlets are considered to be offering objective news. According to reporter Farid Qahramanov, political affiliation of news organizations is the reason why so many of them fail to

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

refrain from bias. Government-sponsored media is used for propaganda purposes and is often engaged in personal attacks on opposition leaders. Similarly, pro-opposition media also falls short of independent reporting, covering stories from their prism of political interests. The difference is that the political opposition has fewer resources, using newspapers only, whereas government has the advantage of seven national television stations it keeps under its control. Only a few independent outlets try to pursue a policy of balanced reporting, airing views of all sides.

Editorial teams are known to have blacklists of people they are not supposed to interview or even mention. This further complicates journalists’ ability to conduct objective reporting, as the lists include think tanks and political, economic, and social experts. For example, all television stations are known to have blacklisted opposition leaders Isa Gambar and Ali Karimli at the request of the government.

While blacklists and selective reporting are characteristic for all media outlets except a few independent ones, Qahramanli considers that news agencies are generally doing a better job in adhering to professional standards. “News agencies are doing better job because they target not only local, but also foreign audiences. It is harder to make absurd statements when you are read elsewhere,” he argued.

All news organizations in Azerbaijan share a basic journalism code of ethics. The code has been further improved under the auspices of OSCE and Press Council. However in day-to-day business only a few media outlets truly pursue ethical journalism. Many media managers simply remain unconvinced that they need ethical guidance.

Self-censorship is widely practiced. Journalists don’t feel that law enforcement and judicial systems can protect them, which aggravates this situation.

Zardusht Alizade argued that in the 1990s, while still under official censorship, the Azeri media was more free, as there were no attacks against journalists for the work they do. Arifoglu also admits that self-censorship among journalists is a reality. “Every journalist has this question in their mind: What will happen to me if I speak to this person or write this piece? And there is a reason for this. Journalists in this country have been killed, stabbed, kidnapped, and beaten. The editor-in-chief of *Azadlig* newspaper had to take his family out of the country. These threats are out there for all of us—from reporters to investigative journalists and chief editors, like myself,” he said. Arifoglu says that he warns his journalists to gauge every word they use, as he will not be able to protect them if they find themselves in trouble.

The situation is even more critical in the regions. Executive authorities in the regions intervene with editorial policy of news outlets, from pressuring them to change reports to completely withdrawing their stories even during live broadcasts. Reporter Ulvi Telmansoy said, "It is not like media is sympathetic or loyal to the government. They are in their pocket. The authorities can turn the story upside down or completely kill it." Nakhchevan Autonomous Republic, an exclave located between Armenia and Iran, remains a place where no independent journalist can set foot, or are accompanied everywhere they go until they leave. No independent news organization succeeded in opening a correspondent bureau in Nakhchevan, and therefore there is very little, if any, information flow coming out of the region as to what is going on there.

The panelists agree that public opinion has little effect on developments in the country. Many investigative research pieces, no matter how professionally done, fail to make impact and change things. Media criticism rarely gets feedback as public officials do not consider themselves accountable to the public. Media projects coordinator Tarana Tarverdiyeva recalls research revealing the bureaucracy has no limit as to how much can be spent for purchase of service cars for government officials, and that one vehicle could cost as much as several hundred thousand dollars in taxpayer money. The contrast was absurd: Hundreds of thousands for one car at a time when minimum wage in the country is 93.50AZN (\$119) per month. As shocking as it was, she says, no government entity bothered to provide feedback—to admit, deny, or try to rectify it.

Mass protests in the northern town of Quba on March 1 highlighted friction between traditional and new media, which further deepened in 2012. None of the seven national TV channels ran any footage from Quba, fearing sparking an Arab Spring-style revolt in Azerbaijan. National television stations completely ignored the story, as demonstrators burned down the residence of the local governor demanding his resignation and were met by police, who fired tear gas and rubber bullets against the protesters. While the governor was forced to resign following the mass disorder, the only people imprisoned for inciting mass disorder by the were journalists from local TV. Khayal TV Executive Director Vugar Gonaghov and Editor-in-Chief Zaur Guliyev were imprisoned for posting a YouTube video featuring the governor's speech, where he insulted local residents for "selling out" their properties, followed by pictures of his several luxurious properties in Guba. The video went viral on the Internet and is believed to have triggered public outrage.

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Pay levels for journalists differ substantially depending on where they work. Absence of advertising revenues due to political barriers make it difficult for newspapers to offer good salaries. In general, journalists' income is very low. Journalists belong to the least-paid caste of society. Many reporters are paid honoraria for stories and struggle to make ends meet. Media expert Jahan Aliyeva believes that lack of highly-paid mature political commentators is not incidental. "Ironically, the more mature and experienced you get, the higher is the likelihood that you will be forced to leave the business, because you are seeing as representing threat to the authorities with your independent and comparative thinking." Interestingly, state-sponsored programs offering free tuition to Azerbaijani youth overseas and in Western countries has never offered journalism studies, another indicator of the government's policy to prevent the "import" of Western-style journalism into Azerbaijan.

Outflow from journalism careers is high. The emergence of oligarch-sponsored media outlets and commercial entities makes it more difficult to keep journalists in their workplaces. News outlets affiliated with oligarchs offer better salaries and therefore end up hiring well-trained, poorly-paid journalists. Many journalists choose better pay conditions over the opportunity to do real journalism.

The Azeri public continued to debate the growing number of low-quality entertainment programs on television. Most-criticized live shows such as live marriages and social interest shows, such as those that search for lost loves, enjoyed the highest ratings. Zardush Alizade considers that it is indicative of the "low level of the Azeri audience," arguing, "It is impossible to interest the Azeri audience [with intellectual programming]. They are indifferent to world developments, are poorly educated, and have no interest in the outside world whatsoever. All they want to watch is celebrity gossip and television stations meet this demand."



“Ironically, the more mature and experienced you get, the higher is the likelihood that you will be forced to leave the business, because you are seeing as representing threat to the authorities with your independent and comparative thinking”, said Aliyeva.

Among television channels, the panelists said that ANS, Khazar TV and Public Television are seen as offering some quality niche reporting. Among radio options, US-government sponsored RFE/RL offers quality daily news and investigative reports on issues like lack of rule of law, mismanagement and corruption. Among newspapers, *Yeni Musavat*, *Zerkalo*, *Ekho*, *Azadlig* and to some extent *525 Gazet* are considered the most popular for their niche reporting.

Investigative reporting is gathering momentum in Azerbaijan. In 2012, several international organizations sponsored journalist competitions for research on corruption, mismanagement of oil profits, and failing governance. Due to the media situation in Azerbaijan, with all television channels under the government’s control, these research projects were not able to grasp the attention of the wider public as they were published mostly in opposition newspapers with minor circulation.

The rift between traditional and new Internet media further deepened in 2012. New media used its “just-in-time” ability to its advantage, proving to be the most effective channel when covering breaking news like mass events, protest rallies, and other issues censored by traditional media. For instance, all national television stations ignored the story of dozens of people being evicted from their homes to make way for a new concert hall in the capital Baku that would host Eurovision Song Contest. Social media and Internet activists did a better job informing the public of the eviction operation by updating their stories with amateur videos and photos from the scene. Traditional media’s stories on the eviction in the come-up of the Eurovision Song Contest were considerably late and censored to reflect the government’s version of events.

### OBJECTIVE 3: PLURALITY OF NEWS

Azerbaijan Objective Score: 2.18

With around 5,000 media outlets registered with Justice Department, there is no lack of media outlets in Azerbaijan, however, the plurality of views remains problematic. Political affiliation and lack of independent editorial policies are the major reasons why media outlets fail to provide alternative views. Public Television and state-run AzTV were used as government’s propaganda tools, which the panelists agreed failed to cover issues of public concern.

“[State-run television] only serves the authorities and issue the government’s propaganda line,” asserted Alizade. “They provide only coverage of the authorities, while completely ignoring the public.”

When a bribery scandal, later known as Gulergate, surfaced around one of the most influential ruling YAP party members, Guler Ahmadova, started, public-funded news organizations faced a dilemma as to how cover the story. Filmed by a hidden camera, the video discussed a \$1 million bribe for a seat in the parliament, and went viral in social media. Apart from high-level corruption in the country, the video has also evidenced that there was a list of parliamentarians-to-be in advance and it was pre-approved by the President himself. Nearly all television networks, both state and private, altogether ignored the corruption scandal until an official reaction from the Prosecutor Office a couple of weeks later was issued.

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens’ access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.

Hebib Muntezir, the Internet activist based in Berlin, says he is thankful that there is Internet, otherwise the scandal wouldn't have become public. Hebib himself also posted all the videos released on the case. "If not for the Internet, the public would have never learned all this, because all the national TV stations, except [private] ANS, completely ignored the story. The scandal showcased that in sensitive and life-changing issues the public relied on the new media and opposition newspapers with their minor circulation," he argued. Foreign based Azeri-language media, including BBC Azeri, VOA Azerbaijani and RFE/RL Azeri service reports also helped to fill the gap. Interestingly, when Guler Ahmadova was deprived of her deputy status and lost support among the ruling elite and ultimately its media support, she also chose to speak to the audience via her own Facebook page.

Among newspapers, *Zerkalo*, *Ekho* and *Express* are seen as the only dailies offering wide spectrum of political viewpoints. Among TV stations, ANS TV was cited as making some attempts at pluralism. However, the panelists hedged their praise, as the outlet has been shut down several times, most recently on November 24, 2006, after the rigged parliamentary elections. "ANS has not been the same," considers Habib Muntezir. "I have been watching it for long. It compromised its independence considerably."

In 2012, ANS political special *Achig Sohbet* ("Open Talk"), a televised debate, hosted political leaders labeled as 'radical' opposition and blacklisted for decades, including Sardar Jalaloglu, Panah Huseynov, Mirmahmud Fattayev, Iqbal Agazade, Etibar Mammadov and others. The opponents debated issues of fair governance, human rights record, challenges of political opposition and other serious issues. The debate was taped and broadcasted next day. Media expert Gulu Mammadov called the debates "the rare exception" in the Azeri media offering pluralism of views. Sevinj Osmanqizi, moderator of the MSI panel and of these debates, admitted that their biggest challenge was to bring the ruling YAP party to a dialogue with the opposition. "They [YAP] are not used to being challenged. It was hard to get them face-to-face and talk. They all seemed to have boycotted the debate."

In 2012, a couple of new wire services entered the market. Journalist Jahan Aliyeva says that while there was a lot of public expectation that new agencies would offer fresh looks at events, some of them proved to be poorly sourced and offering gossip instead of news. "Qafqazinfo is nothing but gossip. They turn private conversations or Facebook chats into a story, making vague references like 'as people close to events say.' This is not serious." In general, Azerbaijan's news agencies are subject to less pressure from authorities than television, radio, and the printed press.

"[State-run television] only serves the authorities and issue the government's propaganda line," asserted Alizade. "They provide only coverage of the authorities, while completely ignoring the public."

All broadcast media outlets produce their own news programs. ANS and Khazar TV remain leaders for their news programs. Khazar TV continues to enjoy its popular Turkish-style presentation of news, accompanied by music and generous graphics, but lacking in-depth analysis. Public TV news was seen as improving its news programming, but was still seriously lagging behind in editorial content due to its failure to offer fair and objective news. No opposition leaders or dissident thinkers appeared on Public TV news throughout the year. Public TV boosted its profile during the Eurovision Song Contest, which Azerbaijan hosted on May, as it was the official partner of the European Broadcasting Union.

Transparency of media ownership remains problematic. Among commercial television stations, only ANS TV's founding ownership is clearly indicated on its web site. "Everyone knows that Vahid Mustafayev is the main owner of the ANS TV, while Mir Shahin and Seyfulla Mustafayev have minor stakes," said Mammadli. "But who is behind ATV, Lider TV, or Space TV is all based on assumptions." It is believed that president's sister Sevil Aliyeva, currently residing in England, is the owner of Space TV. Similarly, Adalat Aliyev, cousin of the president, is believed to be backing Lider TV.

ATV's ownership is completely opaque. For many years the current Diaspora Minister Nazim Ibrahimov and his businessmen brothers were running the company and were considered to be its co-owners, along with two high-ranking officials from the President's office. However starting from December 31, 2011 the company experienced problems. It was heavily rumored that ATV's troubles started when the broadcast of President Ilham Aliyev's New Year were interrupted by the appearance of the cartoon character Shrek appeared on the screen. Following the incident, brothers Taghi and Namig Ibrahimov were forced to leave the company after several months of constant denial that there were no changes in the management of the company. In mid-May, former general director of Lider TV Vugar Garadadagli assumed his duties as the new general director of ATV. But it was not clear what changes took place with regard to official ownership of the company. The incident

**“ANS has not been the same,” considers Habib Muntezir. “I have been watching it for long. It compromised its independence considerably.”**

was also seen as a message to all the other television channels that any disloyalty will not be tolerated.

Internet use is rising fast in Azerbaijan. In 2012 Internet World Stats estimated the number of internet users at more than 3.6 million, representing about 40 percent of the population. Taking advantage of this growth and in the absence of free traditional media, freedom-loving youth use blogs to comment on political developments, and YouTube to post videos showing mass protests and crackdowns.

Hebib Muntezir considers that while web sites are not blocked as much as they used to be, the government continues to persecute individual activists. Internet activists who call for protest actions are tracked down and arrested.

Most Azerbaijani bloggers use Wordpress and Blogspot as platforms. Among the political opposition, Musavat party leader Isa Qambar and People’s Front of Azerbaijan Party leader Ali Karimli are known for their popular blogs. President Ilham Aliyev has Facebook and Twitter accounts. Many parliamentarians and other public officials are also starting to use social media.

While some bloggers like Adnan Hajizade have established themselves for their insightful and mature blogs, many of the bloggers were described as amateurs. Forums and comments sections contain a lot of offensive language and comments of low intellectual quality. Hebib Muntezir considers that absence of debate environment in the country contributed to it.

“I am not ashamed to admit it—the intellectual level of Azerbaijani internet user is very low. I myself can not read comments on Azeri videos, even under my own videos. There is so much cursing and insult there,” said Habib Munteziri. “What is it indicative of? I think the reason for this is that an Azerbaijani citizen is not brought up in the environment of civil debates and public discussions. They do not know how to interrelate. And they are not used to being tolerant to differing points of view. I blame Azerbaijan’s television channels for failing to nurture such environment as well.”

In order to prevent live broadcast ‘surprises,’ television channels prefer to tape most of their programs. For instance, it is believed that state-sponsored AzTV pre-tapes all its programs except the news, whose scripts have to be approved in advance.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

Azerbaijan Objective Score: 1.35

Only a few media organizations are run as businesses; most newspapers were set up for political or personal interests. Many parliamentarians have their own newspapers and news outlets that they steward to publicize their views. These news outlets easily get advertising because of the political connections of their owners.

Some news outlets are set up in order to counter the opposition organs. For instance, the design of pro-government politician Hafiz Hajiyev’s newspaper *Muasir Musavat* is identical to pro-opposition *Yeni Musavat* newspaper. It is done on purpose in order to confuse new readers, Arifoglu believes. Shortly after the registration the Women’s Journalists’ Union, which convened and moderated this MSI panel, a pro-government organization was set up with nearly identical title of Women Journalists’ Association.

There are no set boundaries between advertising and media owners. Even though duties and obligations are laid out in signed agreements, private companies often abuse their status as advertisers and intervene in the editorial policy of the media organizations. They threaten not to renew or

#### MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

even withdraw their advertising if a media outlet runs a story criticizing them.

Selective advertising placement remains a major reason for poor business performance of media outlets. Advertising, by and large, bypasses both independent and pro-opposition media. There is no way for independent outlets to survive on their own as advertising distribution is strictly political. No opposition-affiliated outlet receives advertisements, indicating that there is control over the placement of advertising.

Advertisements are placed based on political considerations and business and family ties, rather than market principles. Arifoglu says that, despite a letter addressed to the president requesting action, and a follow-up meeting with his aide Ali Hasanov, nothing has changed in the advertising sector. He recalls a potential advertiser telling him that all the newspapers getting ads should be on the list approved by the president's office. "I didn't realize it was such a big problem and was handled in such a centralized way. All our efforts are in vain. Only new websites belonging to oligarchs place their ads in our newspaper. Their purpose is to use the high audience of ours to quickly enter the market. We know that they are using us for this reason. But without them our advertising revenues are zero." *Yeni Musavat* is one outlet that has to sustain itself on sales of copies only. Similarly, other pro-opposition outlets also struggled to make ends meet in the absence of any advertising.

Internet banking is not developed in Azerbaijan. Many Internet users either do not use, or are not familiar with, Internet banking, PayPal, and other options for monetization online.

According to the law on mass media, advertising in television may not exceed 15 minutes per hour of airtime. In newspapers advertising may not exceed 40 percent of column space. In practice, however, few print media outlets are able to exceed 30 percent, and independent newspapers struggle to reach 10 percent.

In the absence of any advertising, the government continued to offer outlets grants through its newly-established State Council to Support the Media. Officials argued that the mechanism worked well and the editorial independence of media organizations receiving grants from the state does not suffer. However, journalists themselves admitted that newspapers, struggling to survive, are willing to risk compromising themselves to receive grant income from the Council.

Media expert Zardusht Alizade criticized the State Council's promises to build free housing for journalists. "Why not let newspapers flourish so that journalists can buy those

"Why not let newspapers flourish so that journalists can buy those apartments themselves? Many journalists have become completely loyal in order to 'win' those lucky apartments," Alizade said, criticizing government subsidies to the private media.

apartments themselves? Many journalists have become completely loyal in order to 'win' those lucky apartments." Noting that the apartments, promised two years ago, are still not ready, Alizade said: "The longer they take to be built, the more loyal press will be."

In 2012, the number of newspapers and news agencies receiving grants and awards from the State Council to Support Media grew. The Council gave out grants on occasions like New Year's, the spring holiday Novruz, and on National Press Day. Only a few independent media refrained from applying for awards and gifts. Over 100 editors-in-chief and senior reporters received awards, medals, cash, and gifts from the Council.

Advertising agencies are developing, but in general, advertising remains one of least transparent sectors. Projects advocating human rights and democracy, investigative reporting, political debates, and analytical journalism have no chance of getting commercial sponsorship. Advertisers want to make sure media projects are nonpolitical and will not have anything that may upset the government. Therefore advertising is usually purchased to air during cooking, style and fashion, health, song competitions, and other entertainment shows.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Azerbaijan Objective Score: 1.98

There are a rising number of press associations nominally representing the interests of media employees. However, none of them is in a position to protect and advance the interests of journalists, including negotiations for better work conditions or higher pay. There are no functioning trade unions in workplaces that would represent interests of individual journalists. Just as in many other sectors of economy, journalists can be fired without cause.

With so many security challenges and few social benefits, it gets harder to attract bright students to the profession. Many students in journalism departments at universities are there because they failed to pass into their first or second choice programs.

Many media organizations register their employees as individual entrepreneurs in order not to pay health insurance and other social benefits. There are no regulations in place to ensure payment of social benefits to close this loophole. Journalists are expected to work overtime hours without additional pay. Some media organizations still have six-day work schedules despite the forty-hour work limit introduced by the parliament. Therefore, low payment and close to zero social benefits make it difficult to keep qualified staff in journalism for long. Many starting journalists regard their work as a transitional step in a career ladder to other fields. Female reporter Qanira Pashayeva, who became a pro-government parliamentarian with many benefits after a successful stint as a TV reporter, is seen as a symbol for many entry-level journalists.

With so many security challenges and few social benefits, it gets harder to attract bright students to the profession. Many students at journalism departments at universities

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

often are there because they failed to pass into their first or second choice programs.

The panelists agreed that NGOs were doing their best to attract public attention to the problems journalists face. When RFR/RL journalist Ismayilova was blackmailed or reporter Idrak Abbasov was beaten, the Institute for Reporter's Safety and Security was there to help them more than anybody else. The Media Rights Institute was seen as a venue to alert local and international community to attacks on freedom of the media in a timely manner. Rights activists Arzu Abdullayeva, Saida Gojamanli, Novella Jafaroglu, and others served as watchdogs and reacted regularly to violations of freedom.

The Media Council continued to lose its support among independent and pro-opposition print media due to its pro-government stance. The leadership of the Press Council changed the organizations charter to permit the chairman to stay in office for a 3rd term. Media expert Gulu Mammadov ridiculed the move, expressing regret that a body that was designed to protect the law, was breaching it itself. Many heads of news organizations spoke in favor of creating an alternative and independent press council.

University programs favor theoretical training over practical, on-the-job training. Baku State University and Baku Slavic University have in-house television and radio studios. ANS TV hosts the U.S.-Azerbaijan Journalism Academy jointly with the U.S. Embassy. This program provides three-month courses to broadcast journalists. AzTV also has its own program, the Television and Radio Academy, for its entry-level journalists. The Dutch School of Journalism offers several training courses yearly, mostly for print journalists. Each year a couple of Azeri students also took journalism classes at the Caucasus School of Journalism in Tbilisi, Georgia.

Radio plays only a small and declining role, especially after the authorities closed the local FM relays of the BBC, Voice of America and the Azeri service of RFE/RL, Radio Azadliq, at the end of 2008.

The distribution of newspapers is largely limited to Baku, and even in the capital it can be problematic. A small number of newspapers are also distributed in the large towns of Sumqayit and Ganja. There is very little distribution in rural areas. There is also a struggle to dominate the press distribution market, with the authorities removing the kiosks of the private firm Qasid in Baku and installing new kiosks. However, the new kiosks, which belong to the Baku city authorities, often sell old issues of newspapers, while fresh copies can be found at newsstands within metro stations. Street trade in newspapers is not reliable and has been clamped down on by the authorities several times.



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Azerbaijan Printing House remains the most used printing facility due to its reasonable pricing for print as well as offices to rent. Despite a number of new private print companies, the once state-owned Azerbaijan remains the cheapest.

Following critical media reports and public debates, the Ministry of Communications and Information Technologies lowered Internet tariffs. But Internet still remains expensive compared neighbors in the region. There are over 30 secondary Internet providers. Broadband is gaining momentum, but there are still dial-up connections in use, offering very poor quality Internet. Azerbaijan's Internet access and digital broadcasting is expected to improve considerably with the country's first telecommunications satellite launched into orbit in Feb 2013.

## List of Panel Participants

**Zardusht Alizade**, head of Dutch Journalism School, Baku

**Rauf Arifoglu**, editor-in-chief, Yeni Musavat newspaper, Baku

**Rasim Musabeyov**, parliamentarian, Baku

**Alasgar Mammadi**, media lawyer, IREX, Baku

**Tahir Mammadov**, head, Public Relations Department, Public TV and Radio, Baku

**Farid Qahramanov**, reporter, Turan news agency, Baku

**Jahan Aliyeva**, media expert, Baku

**Aytekin Alkhasli**, reporter, ANS TV and Radio, Gusar

**Natig Jaffarli**, blogger, Baku

**Tarana Tarverdiyeva**, media expert, Women's Media Watch Azerbaijan, Baku

**Ulvi Telmansoy**, reporter, Alternativ TV, Ganja

**Hebib Muntezir (Abdullayev)**, Internet activist, Berlin, Germany

## Moderator & Author

**Sevinj Osmanqizi**, journalist and media analyst, Women Journalists Union, Baku

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