

AZERBAIJAN



**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



IREX

AZERBAIJAN

AT A GLANCE

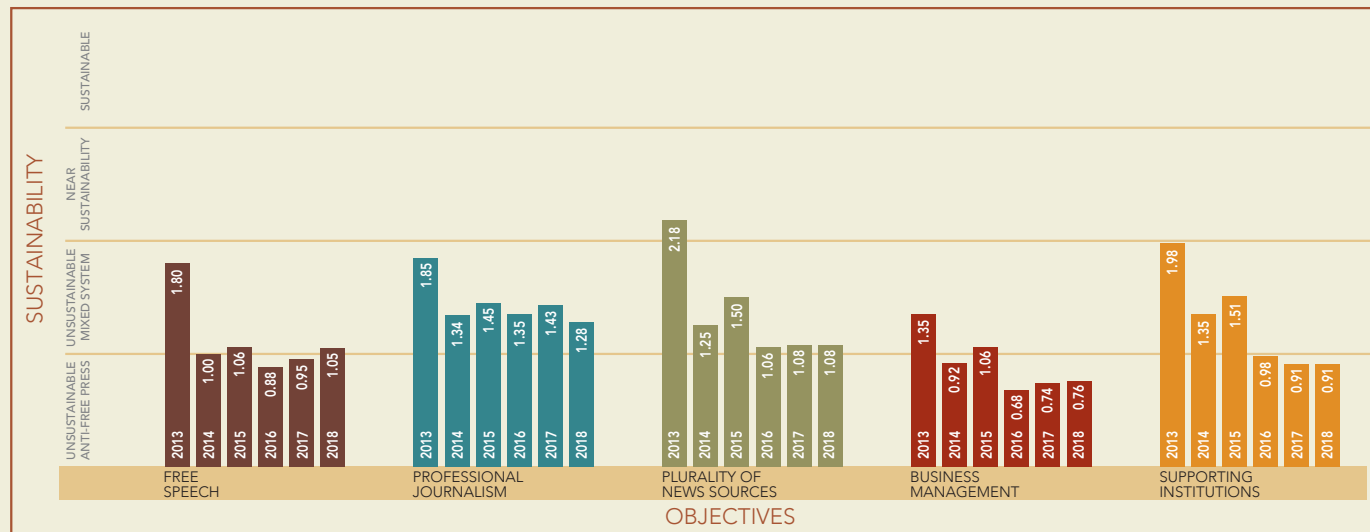
GENERAL

- ▶ **Population:** 9,961,396 (July 2017 est. *CIA World Factbook*)
- ▶ **Capital city:** Baku
- ▶ **Ethnic groups (% of population):** Azerbaijani 91.6%, Lezgian 2%, Russian 1.3%, Talysh 1.3%, Armenian 1.3% (almost all in the separatist Nagorno-Karabakh region), other 2.4% (2009 est. *CIA World Factbook*)
- ▶ **Religions (% of population):** Muslim 96.9%, Christian 3%. Note: Religious affiliation is still nominal in Azerbaijan; percentages for actual practicing adherents are much lower (2010 est. *CIA World Factbook*)
- ▶ **Languages (% of population):** Azerbaijani (Azeri, official) 92.5%, Russian 1.4%, Armenian 1.4%, other 4.7% (2009 est. *CIA World Factbook*)
- ▶ **GNI (2015):** \$63.31 billion (World Bank, Country at a Glance, 2017)
- ▶ **GNI per capita (2015):** \$6,560 (World Bank, Country at a Glance, 2017)
- ▶ **Literacy rate:** 99.8%; male 99.9%, female 99.7% (2016 est., *CIA World Factbook*)
- ▶ **President or top authority:** President Ilham Aliyev (since October 31, 2003)

MEDIA-SPECIFIC

- ▶ **Number of active media outlets:** Print: 36 dailies, 100 weeklies, 85 monthlies; radio stations: 9 AM, 17 FM; television stations: 23 (9 broadcasting nationwide, 14 regional)
- ▶ **Internet usage:** 7.7 million users/78.2% percent of population (July 2016 est. *CIA World Factbook*)
- ▶ **Annual advertising revenue in media sector in 2016:** \$40.2 million total (*State Statistics Committee 2017 Yearbook*).
- ▶ **Mobile subscriptions:** 10,315,993 (July 2016 est. *CIA World Factbook*)
- ▶ **Newspaper circulation statistics:** The most widely read publications are the opposition newspaper *Yeni Musavat* and *Azerbaijan*, the official publication of the parliament
- ▶ **News agencies:** Turan, Trend, Azerbaijan Press Agency, Day.Az, and 1news.az (all private); AzerTag (state owned)
- ▶ **Broadcast ratings:** Top television stations: Azad Azerbaijan TV, Khazar TV (AGB/Nielsen)

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SCORE KEY

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.



Azerbaijan’s media continues to operate in an ever hostile environment. Government repression of the media, largely through law enforcement, and pervasive government control over the media sector has led to threats, fines, arrests, and incarceration (among other things) of media workers. Azerbaijan’s overall MSI score this year remains static in comparison with last year’s study and is solidly in the unsustainable/mixed system classification. While individual objective scores either remained the same or saw very minor improvements, Objective 2 (professional journalism) saw the largest decline, further indication of the pressure under which Azerbaijani media operates.

Independent media in Azerbaijan faced worsening conditions in 2017 as all facets of the ruling apparatus, from the presidency to the parliament to police and courts, stepped up persecution of journalists and outlets. Regressive changes to media laws broadened avenues for officials to bring defamation cases, block news websites, and introduce censorship. Media that question government actions, report on President Ilham Aliyev’s family, or provide a platform for opposition views are essentially treated as prey.

Law enforcement has become the primary arena for repressive action. Activists and independent journalists are routinely arrested, tried, and imprisoned on pretenses of drug use, illegal border crossing, tax evasion, or resisting police. The year’s highest-profile case involved Mehman Huseynov, a popular video blogger and Facebook personality, who was arrested in January 2017 and is now serving a two-year term on defamation charges. As detailed in Objective 1, the following months brought numerous incidents of harassment and prosecution, including allegations that Azerbaijani authorities worked with the Georgian security forces to kidnap an investigative reporter working in exile in Georgia and forcibly returned him to Baku.

Mainstream news media are under the strict control of the ruling elite and only report news that suits its purposes. This holds true for both state-owned and private channels. Other media have come under withering attack. Several years after Radio Azadliq, the Azerbaijani service of Radio Free Europe/Radio Liberty (RFE/RL), was stripped of its radio frequency,

its website was blocked by court order, as were those of video channels Meydan TV and Azerbaijan Saati and other alternative news sources. The targeted outlets’ appeals of the order—secured by prosecutors under broad, vague new restrictions on disseminating “prohibited information”—have been shot down. The country’s only independent news service, the Turan Information Agency, was targeted by a tax investigation and briefly suspended operations.

In early 2017, parliament voted to double the fine levied for “tarnishing or humiliating the honor and dignity of the President of the Azerbaijan Republic in a public statement” and incorporated online and social media into defamation and slander laws. (Fines for pseudonymous users are double those for people posting under their own names.) In the fall, legislators introduced changes to the law on legal services, under which only members of the National Bar Association would be allowed to provide courtroom defense, further hamstringing independent media and activists who rely on legal aid from human rights and media nongovernmental organizations (NGOs)—lawyers from which are effectively blackballed by the bar association.

Along with overt threats came a growing menace to independent outlets’ digital security. The Facebook pages of Kanall3 and Meydan TV, which, respectively, had 200,000 and 500,000 followers, were hacked. Meydan TV lost 100,000 users and saw its entire post history deleted in the cyberattack. It marked a new front in Azerbaijani authorities’ war on media.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.05

Azerbaijan’s constitution guarantees freedom of speech in language that parallels international standards, and protection of the media and journalists is enshrined in legislation. However, these protections exist only on paper. In practice, they are restricted by amendments or simply ignored. The law establishing criminal liability for obstructing a journalist’s professional activities has never been applied in the 20 years since it was adopted, despite hundreds of attacks on reporters and bloggers. As one panelist noted, in a country that lacks any rule of law, there cannot be protection of free speech in practice.

Defamation remains a criminal offense and is increasingly used to target journalists and critics. Mehman Huseynov, perhaps the country’s most prominent blogger, and journalist Afgan Sadigov, who works in Jalilabad, remain incarcerated on defamation charges.

It is illegal for official bodies to refuse to provide information to media, but this provision has never been enforced; it is violated on a daily basis, as one panelist put it, and certain laws and amendments have restricted it. For example, news media are denied access to business-ownership records in contradiction of the laws on media and information.

In these and other areas, including licensing of television and radio broadcasting, and the lack of investigation of criminal and other offenses against journalists and bloggers, the worrisome situation for media in Azerbaijan has not changed since last year, and in some respects, it has gotten worse.

The presidential administration, the National Assembly, and government agencies own and

operate their own newspapers, without democratic oversight, which they use to protect their political power and stamp out alternative or critical views. Supported by the state budget and the financial resources of various public bodies, these publications enjoy special benefits and technical capabilities relative to other media outlets in the country.

The past year saw numerous prominent cases of detention of journalists, in one instance with fatal results: blogger Mehman Galandarov, who was arrested in February on dubious charges of drug trafficking, died in April while in pretrial custody. Authorities said he committed suicide.

In January, Huseynov disappeared from central Baku, and for a few days, his whereabouts were unknown. It emerged that he had been taken into custody. Following his release, Huseynov said police beat and tortured him. Instead of investigating his claims, the prosecutor’s office charged Huseynov with slandering the police. He was convicted in March and sentenced to two years in jail. Along with blogging, Huseynov founded and ran Sancaq, a Facebook page featuring videos and street interviews that has more than 340,000 followers.

Aziz Orujov, director of the independent online TV channel Kanal13, was convicted in May of disobeying a police order and sentenced to 30 days. Just before the end of his term, he was accused of illegal business dealings and abuse of office; these charges led to a six-year jail sentence. (He was released in April 2018 after the Supreme Court of Azerbaijan reduced his sentence to three years suspended.) The offices of Kanal13, which has a significant audience (more than 150,000 YouTube subscribers and 200,000 Facebook followers) were raided and computers, documents, and other materials seized.

On May 29, 2017, investigative reporter Afgan Mukhtarli was kidnapped in Tbilisi, where he had

been living with his wife, and spirited back to Baku. He had been investigating the ruling Aliyev family’s business activities in Georgia. Mukhtarli was charged with an illegal border crossing and smuggling foreign currency, and he was sentenced to six years in jail.

On July 24, 2017, Faig Amirli, financial director of the daily newspaper *Azadliq*, was sentenced to three years and three months in prison on charges of tax evasion and abuse of power. He was granted a conditional release in September.

In August, tax authorities initiated an investigation of the Turan Information Agency and subsequently

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 of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ 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 accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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detained its director, Mehman Aliyev. Three state institutions provided three very different explanations for his arrest. Amid international pressure, including condemnations from the Council of Europe and the US State Department, the government released Aliyev after three weeks and dropped all charges.

Such prosecutions of government critics, activists, and journalists are common. Those no longer in detention are sometimes barred from leaving the country or have their bank accounts frozen. In defamation cases, the law puts the burden of proving innocence on media defendants, but courts rarely take their evidence into account, deciding cases on political, rather than legal, grounds. The only legal mechanism still available is application to the European Court of Human Rights, which can dispute rulings of the Azerbaijani justice system.

In March 2017, Azerbaijan's law on dissemination and protection of information was amended to provide a legal basis for blocking online resources. The measure also gave the Ministry of Transport, Communications, and High Technologies the power to shut down an Internet outlet without a court order. The law now specifies a laundry list of prohibited information, including content the government says promotes terrorism or terrorism financing, propagates violence or religious extremism, constitutes a state secret, or calls for public disorder or changes to the country's constitutional order. Additional grounds for blocking a site include hate speech; intellectual property infringement; publishing information on gambling, assembling firearms, and producing narcotics; promotion of suicide; insults and slander; and, broadly and ominously, "other information prohibited for distribution." The law makes a website's owner personally responsible for its activity and gives owners eight hours to delete such content once it is detected by the ministry.

Two months after the amendments were approved, a Baku court blocked Azerbaijanis' access to the websites of Radio Azadliq; *Azadliq*, the newspaper; Berlin-based Meydan TV; and sibling video news channels Azerbaijan Saati and Turan TV. YouTube, Twitter, and Facebook pages that feature content from the sites were not blocked, but connection speeds, which are subject to government control, are sometimes made so low that it is difficult to access them, particularly in the provinces and remote locations.

It is illegal for official bodies to refuse to provide information to media, but this provision has never been enforced; it is violated on a daily basis, as one panelist put it, and certain laws and amendments have restricted it.

The barred sites appealed but were denied in a series of court rulings. Neither the ministry nor the courts elaborated on the "prohibited information" the sites had published. By the end of the year, the number of sites blocked in the country—usually without a court order—was more than 25.¹ The amendment requires the communications ministry to make public the list of websites blocked without a court order, but to date, it has not done so.

1 An incomplete list of blocked websites includes <https://www.abzas.net>, <http://vizual.az>, <http://realliq.info>, <http://realliq.az>, <http://nia.az>, <http://neytral.az>, <http://sonolay.org>, <http://vedinfo.az>, <http://obyektiv.tv>, <http://aztoday.az>, <http://politika.az>, <http://24saat.org>, <http://ulus.az>, <http://qanunxeber.az>, <http://xalqinsesi.com>, <http://kanal13.az>, <http://occrp.org>, <http://Xebr44.com>, <http://Masallilar.az>, <http://ekivan.az>, <http://infoaz.org>, <http://criminal.az>, and <http://euroasianews.org>.

Another major shock to the system for Azerbaijani media was the passage in February of legislation regarding martial law that returns censorship to the country's statute books after 20 years. The measure authorizes military censorship of media following a declaration of martial law, as well as "prior coordination of the information and materials of the mass media with military authorities, state agencies and their officials," and surveillance of social media, electronic correspondence, and telephone and radio communications, according to the Institute for Reporters' Freedom and Safety (IRFS).² A legal expert on the panel said the measure explicitly contradicts Azerbaijan's constitution, which prohibits state censorship of media under an article adopted in 1998.

A series of legal amendments late in the year further eroded media freedom, particularly online. The parliament added articles to the law on administrative offenses that codify legal responsibility for publishing "prohibited information" on the Internet and for failing to prevent such publication. Notably, the amendment establishes a two-tier system of penalties, with fines of AZN 1,500–2,000 (\$880–\$1,170) for legal entities and AZN 2,000–2,500 (\$1,170–\$1,470) for individuals. Thus an individual violator could pay hundreds of dollars more than mobile operator Azercell, a company with assets of more than \$500 million.³ As one panelist noted, the clear intent is to target and threaten individual

2 "Mass Media to Face Censorship and Restriction during Martial Law Periods," IRFS, February 17, 2017, <https://www.irfs.org/news-feed/mass-media-to-face-censorship-and-restriction-during-martial-law-periods/>.

3 "Consolidated Financial Statements and Independent Auditor's Report for the Year Ended 31 December 2017," Azercell Telecom LLC. [http://www.azercell.com/media/html/files/AZERCELL%20TELECOM%20LLC-%202017%20Summary\(2\).pdf](http://www.azercell.com/media/html/files/AZERCELL%20TELECOM%20LLC-%202017%20Summary(2).pdf).

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citizens and the online media owners.

Far from decriminalizing defamation, a move long postponed, the government established new avenues for prosecution and ratcheted up penalties. One leading Azerbaijani lawyer said the moves foreshadowed cases such as those against Huseynov and Ikram Rahimov, an online journalist who was jailed in late 2016, along with a source, for reporting on bribery allegations involving business and political leaders in the city of Sumgayit.

A new type of defamation charge—slander and insult—was applied to journalists. Additions to the Criminal Code in October 2016 and November 2017 established sentences of up to three years in prison for slander and two years for invasion of privacy. Between May and October, fines for defamation, slander, and insult were increased from AZN 300–1,000 (\$176–\$586) to AZN 1,000–1,500 AZN (\$586–\$880). Fines for disseminating personal correspondence or private information, which indirectly target media and journalists, also rose substantially from AZN 100–500 (\$59–\$293) to AZN 1,000–2,000 (\$586–\$1,170). By contrast, penalties for preventing media from operating or violating the rights of journalists were not changed in 2017 and stand, respectively, at AZN 100–150 (\$59–\$88) and AN 300–500 (\$176–293).

Another increasingly common government tactic for intimidating media is summoning journalists to the Prosecutor General's Office for a talk, after which they are warned not to cover certain people or topics and pressured to sign agreements to that effect. Continued reporting on those subjects brings threats of criminal prosecution. Several independent journalists received such warnings last year, among them RFE/RL contributor Islam Shikhali; Ayten Mammadova of *Azadlıq*; Natig Javadli and Sevinj Vagifgizi of Meydan TV; infoAZ.org editor Namig Jafarli; Heydar Oguz, formerly with

Strateq.az; and Elchin Mammad, editor in chief of *Yukselish Namine*, a newspaper based in Sumgayit that reports on NGOs and human rights activism.

TV and radio are the only media subject to licensing, and in practice, the government only grants licenses to entities it controls, explicitly or implicitly. The goal is to keep track of television and radio, which are still the main sources of information in the country. On November 14, the National Television and Radio Council (NTRC) granted a national broadcast license to Turkel TV, which was founded in 2010 as a regional network. Turkel TV is financed by the State Oil Company of the Azerbaijan Republic (SOCAR),⁴ but its reputed real owner is the Heydar Aliyev Foundation affiliated with the president's family. Official data about the founders or stakeholders is considered protected commercial information and is not publicly accessible.

Other types of media need no government permission to operate. A note to the Ministry of Justice is sufficient to start a newspaper. Internet-based news sites are registered with the Ministry of Taxes as limited liability companies and must provide quarterly and annual reports to tax and social services agencies. However, there is little appetite for media entrepreneurship. A weak advertising market dampens investor interest; more importantly, one panelist said, "the media is a dangerous profession, and it turns everyone off."

Similarly, there are no serious legal barriers to engagement with journalism, but the media environment is such that there is no incentive for newcomers to join the field. Those who do are more likely to work for foreign media or public relations firms.

⁴ "The Regional TV Channel Became a Republic-Wide," Turan Information Agency. December 28, 2017. <http://www.contact.az/ext/news/2017/12/free/Social/en/67914.htm>.

Media-related taxes are comparable to those in other industries, but the government eliminated a major tax break for print media in late 2016, restoring the 18 percent value-added tax (VAT) on imported newsprint. The extra financial burden and low supplies of newsprint add to the obstacles of publication for independent outlets. "By now, the print media is in full control of the government, and it works for them, as they finance it and keep more for themselves in revenues," one panelist said.

Several TV channels and newspapers are funded from the state budget or from nontransparent sources. In addition, every ministry and upper-level state agency or committee has its own weekly or monthly newspaper, employees of which get favored access to public meetings and events.

Access to public information is increasingly restricted. Media are largely dependent on press releases and reports from state agencies. Officials responsible for providing information are not accessible, and outlets court legal jeopardy if they spread information about state activities that are not officially confirmed.

Journalists need not obtain a license to practice, although some government officials have recently called for such a requirement.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.28

The panel generally agreed that while there was a decline in this objective over the past year, it is in better shape than other ones measured by the MSI. There remain a handful of media outlets where reporters and editors take a serious approach to news gathering. They conduct necessary inquiries, consult with experts, and

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cross-check information and facts with multiple sources. One panelist cited Baku-based Abzas.net, Arqument.az, and Pahoo.az and Azerbaijani reporters working with Tbilisi-based journalism NGO Chai Khana as particularly positive examples.

Most of the country's media, however, remain affiliated with various political powers. The chief editors of almost all mainstream outlets consider their main duty to be disseminating information that serves the state, applying a filter that produces what one panelist characterized as a steady stream of propaganda and lies. Opposition media may present an alternative but are no less partisan and one-sided.

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There are tangible rewards for compliant journalists. In July, President Aliyev announced the allocation of 255 free apartments to reporters and editors in Baku under the State Support Fund for the Development of Mass Media (KİVDF). It was the second such giveaway, coming four years after the government opened a building in the capital with 155 free flats for journalists. Recipients are not shy about disseminating government propaganda in their outlets and on social media.

The Press Council, established by and for Azerbaijani journalists, has an ethics code but does not act impartially and objectively in evaluating ethics complaints, especially in relation to

publications connected to the politically powerful. Even outlets whose directors serve on its board regularly violate the code, sometimes egregiously. While the guidelines state that journalists should not receive valuable gifts, almost every member of the council's board enjoys one of those free apartments.

With journalists facing the very real threat of arrest and imprisonment on a variety of pretexts, self-censorship is rampant. Even a critical text message or social media post can have repercussions. Mainstream outlets, even ostensibly private ones, move quickly to quell dissenting voices from within. When Turan Ibrahimov, the host of national channel ATV's morning show, sharply criticized the mayor of Baku, he was dismissed the following day.

Journalists have difficulty covering key events and issues. Getting information through routine journalistic inquiries is becoming increasingly troublesome; the response to requests is often an angry phone call from authorities asking why the reporter needs the information. Pursuing topics such as torture in Azerbaijani prisons or incidents during the president's public appearances (which independent media are not allowed to cover anyway) can bring undesirable results for editors, reporters, bloggers, and photographers.

Reporters' wages follow a preset scale and average \$200 to \$500 a month, comparable to the official salaries of doctors and teachers but barely sufficient for normal living expenses, especially since two currency devaluations in 2015 drove up the cost of living. Editors and media managers have it somewhat better, with salaries around \$800 to \$1,000. Double-digit inflation and a lack of workplace medical coverage create further drains on journalists' personal finances. Professionalism, or lack of it, does not affect journalists' pay. Material insecurity keeps them financially dependent on staying in an employer's good graces and thus loyal to its political

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.
- ▶ 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 exists (investigative, economics/business, local, political).

and other aims—not conditions conducive to raising professional standards.

There is no shortage of technical resources for state- or oligarch-owned outlets, but independent media cannot afford such capacity. VAT and customs duties on imported digital, video, and information and communications technology (ICT) equipment amount to 40 percent, well above average global rates. VAT was applied to e-commerce in early 2017, making it difficult to obtain cheaper equipment from online retailers. These conditions, along with the reintroduction of the VAT on newsprint and the depreciation of the manat, create enormous financial and operational burdens for independent outlets such as the Turan Information Agency, which, according to employees, is plagued by technical difficulties because of a lack of modern equipment.

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Entertainment dominates mainstream electronic media; news and information content take up perhaps a tenth of airtime and is of significantly lower quality than entertainment programming.

Azerbaijani journalism has evolved in terms of specialization; there are reporters focusing on the national budget, the shadow economy, business, crime, health care, education, labor and social relations, entertainment, sports, and culture. However, as one panelist said, the breadth and quality of specialized reporting is limited by political censorship, persecution of journalists, and overall lack of press freedom. Genuine investigative journalism is absent from domestic TV and radio. There are some investigative efforts in print and online, notably from outlets headquartered abroad such as Meydan TV.

OBJECTIVE 3: PLURALITY OF NEWS

1.08

The overall degradation of media in Azerbaijan is particularly visible in this objective. There has been a serious decline in the availability of reliable, objective information and multiple viewpoints. Broadcast media are overwhelmingly politicized and derive most of what they report from a single source. The growth of online news and social media is a boon for those seeking independent, alternative news sources, but the country's wide digital gap leaves many unable to access that variety, and, as elsewhere, online platforms have also created space for rumor and disinformation.

There are 10 or so online outlets providing alternatives to monolithic state media, but access to them

is restricted. The authorities block about half of them, but they use social media to partially bypass censorship. Facebook, YouTube, and Twitter are widely used and largely trusted as conduits for information because the government has only limited ability to control them. However, authorities have recently taken to reducing connection speeds to at least hinder people's access to major social networks. The three mobile phone operators are not allowed to send out breaking and political news to subscribers.

The dominant broadcast media, including public television, do not present a variety of political voices, and they acknowledge views that dissent from the government line only for purposes of attacking them. TV stations have a guest blacklist, composed primarily of opposition activists and truly independent experts. Alternative or opposing views are almost entirely limited to social media and the Web.

One panelist said AzTV, the national public broadcaster, allowed some level of pluralism as recently as five or six years ago, but now all those appearing on its news and information shows are unequivocally pro-government. The directors and chairs of state media outlets are invariably functionaries of the ruling party; for example, AzTV is headed by a member of parliament, Arif Alishanov. Appointments throughout public media are of a similarly political nature.

One new national TV license was issued in 2017. Turkel TV, formerly part of the ARB group of regional channels and now financed by SOCAR, was given the national frequency formally held by ANS, which was shut down by the government in 2016 at the behest of Azerbaijan's close ally Turkey. (ANS was rumored to be preparing to air an interview with Fethullah Gülen, the US-based cleric blamed by Ankara for the July 2016 coup attempt in Turkey.) Mirshahin Aghayev, the cofounder of ANS, is now heading a new satellite-based, all-news channel

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

called Real TV. ANS was independent, but Real TV, like Turkel, has been linked to President Aliyev's family.⁵ (It is not affiliated with the opposition Republican Alternative (ReAl) political movement, although the name may have been chosen intentionally to confuse the audience.)

No local or national radio broadcaster has been licensed over the past year. The country has only one local FM radio station in Ganja, Azerbaijan's second-largest city. One panelist, citing data from

5 Adilgizi, Lamiya. "Azerbaijan's New Pro-Government TV Network Has Some Familiar Faces," Eurasianet. March 22, 2018. <https://eurasianet.org/s/azerbaijans-new-pro-government-tv-network-has-some-familiar-faces>.

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the NTRC website, said only 20 percent of the country's 70 administrative divisions are served by local radio and TV channels. There are almost no independent print outlets in the regions. The handful that do exist are under constant pressure from, and tight surveillance by, local authorities. Local newspapers are practically unavailable.

The biggest news outlet, AzerTag, is state owned and only transmits official and shallow information, focusing primarily on the president's official meetings, visits, and activities. Because no other media organizations are allowed to cover these events, even private outlets that produce their own news content must refer to AzerTag when it comes to the president's daily agenda.

Most private news outlets are similarly one-sided, because of either self-censorship or ownership by government-allied oligarchs. They spread disinformation, attack opposition figures, and feature criticism of civil servants or public institutions only when the criticism comes from higher authorities, usually the president. These outlets create very little of their own content.

The major exception is the Turan Information Agency, perhaps the only in-country outlet that reliably produces objective and balanced content. In September 2017, for the first time in its 27-year history, it had to suspend operations because of the tax evasion case detailed earlier. Turan resumed work in November after authorities dropped the case under international pressure. It still strives to maintain its independence but has limited financial resources and is often unable to retain staff and meet its own high standards.

Relatively new online outlets, such as Toplum TV and Abzas, have been able to produce independent and balanced reports. (Abzas is currently blocked in Azerbaijan but updates its site regularly and is accessible via virtual private

networks.) They try to take an impartial and professional approach but do not have large audiences.

Private media create only about a third of their news content; most just circulate official government news. Many, particularly in television, have embedded government censors who monitor their editorial policies. Apart from the exceptions noted earlier, online media by and large copy and paste material from other outlets. Even in the sequence of reports, they echo each other.

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Most private outlets are believed to be concentrated in the hands of government officials or people close to them, but this cannot be confirmed, as ownership data is considered confidential information under legal amendments adopted in 2012. While lawmakers and civil servants are legally prohibited from engaging in entrepreneurship, the information law effectively lets them do so by shielding company ownership from public view. Some broadcasters are believed to have listed proxies in registration papers to further hide their real owners.

There are numerous Russian-language news and information outlets, and some in English. The main news outlets have Russian and/or English versions, but content in these languages is predominantly government propaganda. CBC TV, owned by SOCAR, airs news in five languages, including Armenian. Public channels carry programs in ethnic-minority languages, but again, they have the same limitations as programming in Azerbaijani.

When it was launched in 2005, public channel İctimai Television (ITV) had a Minority Peoples Department that produced and aired programs on and for ethnic minorities, but these are no longer available. Some minority communities have newspapers, including *Oko* (Russian), *Tolyshi Sado* (Talysh), *Dange Kurd* (Kurdish), *Samur* (Legzi), and *Shalala* (Georgian), but they are published irregularly.

Coverage of socially sensitive topics--such as religion, ethnicity, and gender and sexual orientation--often causes problems for journalists and outlets. In particular, reporting on problems faced by ethnic minorities draws pressure from authorities under the pretext that it causes a threat to national security.

No laws prohibit access to international media, and as the public turns more and more to the Internet for news, there is greater access to foreign sources. National and international news is available both from pro-government and independent media, but as provincial television and radio stations are under the even harsher control of local governors, outlets in the capital are not able to get alternative and independent news from the provinces.

OBJECTIVE 4: BUSINESS MANAGEMENT

0.76

Between state domination that is becoming ever more elemental on one hand and a disappearing advertising market on the other, there is little that resembles proper media management in Azerbaijan. No outlet can survive on its own resources. Most are explicitly or implicitly government controlled; they follow state dictates and stay afloat with state funding. That virtual monopoly and a weak market economy leave

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little room for independent media to become sustainable and offer little incentive for them to invest in better management or strategic planning.

In revenue terms, Azerbaijani media is effectively a government program. The private advertising market shrinks annually, to the point where it has been almost erased. According to the panel, the print media ad market is only about \$2 million, divided up among outlets controlled by or aligned with the state. According to one panelist, *Baku Magazine*, which belongs to a member of the president's family, received more than AZN 1 million (\$586,000) in advertising in 2017.

The state is the main revenue source for media. The 2017 national budget distributed AZN 58 million (\$34 million) to various media organizations, both state run and private. The government also provided

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ 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 at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

AZN 3 million (\$1.8 million) in subsidies to five private TV channels last year under a presidential decree, and there are off-the-books allocations as well.

KİVDF annually holds two tenders to disburse financial assistance to print media to cover certain government-selected topics or projects. At its inception, the fund aided independent newspapers such as *Azadlıq* and *Zerkalo*, but, not surprisingly, the results now exclusively favor outlets that are explicitly loyal and depend heavily on these grants. Thirty-three such newspapers and news outlets won awards in the December 2017 funding round. Other media are financed by individual government officials or by SOCAR.

There is very little public information on media finances, and what there is concerns the state outlets listed in the national budget. Public network ITV and AzerTag, the official news outlet, are funded directly from state coffers—as is AzTV, although it is formally a closed joint-stock company. No media companies are traded on the Baku Stock Exchange.

The only media entities able to earn revenue consistently and independently are providers of digital cable television, which distribute paid packages of channels. Their relative economic freedom does not translate into transparency or freedom from state control. Channels that broadcast content inimical to the government are dropped from packages. Whether public or privately owned, the cable companies are financially opaque; it is impossible to get information about their structures or the sources and levels of their income.

Ownership and censorship set clear limits on editorial independence and allow for little diversity in editorial policy. Virtually across the board, those who finance media decide what can be aired, published, or posted. Rare exceptions come from the few independent outlets supported by donors, who exert no observable influence on coverage or

editorial policy (although these outlets do usually have distinct political slants).

Like broadcasting, print media is largely financed by government, directly or indirectly. The sales market for print has essentially collapsed, especially in the provinces where towns generally have a single kiosk. Some government agencies juice circulation of their own publications by obliging employees to subscribe.

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Advertising agencies' activity is largely confined to major cities; they have limited knowledge of local or regional businesses, or of entrepreneurship. Advertisers are not proactive; it is usually media outlets that try to reach out to them, not the other way around.

Bulk ad buys, such as they are, benefit government media. State pressure on advertisers serves multiple purposes: it deprives independent outlets of revenue, widens the imbalance created by government grants to loyal media, and, as one panelist noted, sends a message to the public that government critics are incapable of running successful businesses. This long-standing approach has yielded results—for example, independent newspapers *Zerkalo* and *Ayna* closed in recent years for financial reasons.

No independent research is conducted to

assess the advertising market, gauge audience interests, or shape strategic planning; in the current media environment, such data would be superfluous. No private companies or media groups regularly measure broadcast ratings or audit print circulation. Most media outlets measure their reach in terms of online traffic using tools such as Google Analytics and Facebook Analytics to assess audience and advertising activity.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

0.91

There are no independent professional bodies representing the interests of media owners, managers, or journalists. “Azerbaijan still lacks classic trade union traditions among the journalists, and that’s a major cause of other problems related to their work,” one panelist said. The associations that do exist operate under stringent government control. The Journalists Trade Union of Azerbaijan, established in the late 1990s, is now effectively run by the deputy chairman of the Press Council—putatively a self-regulatory body, in practice an arm of the presidential administration.

Both organizations remain silent on arrests, lawsuits, website shutdowns, and other aggression against independent media. However, the Press Council, which investigates complaints against print and online media, maintains a blacklist of outlets it concludes have committed slander. Inclusion on this list has serious consequences. Printing houses, even those that are privately owned, refuse to do business with a publication on the list, and websites on the roster may find themselves blocked. The

council’s analog in electronic media, NTRC, is entirely dependent on the central government and executes its instructions.

Civil society groups that once constituted a bulwark of support for media independence and journalists’ rights have been severely weakened by a crackdown on NGOs that began in 2013. There are open criminal cases against more than 20 domestic and international NGOs, and a number of journalists and human rights lawyers are facing tax charges and bans on travel. Only a handful of Azerbaijani lawyers assist journalists with advice and courtroom representation. Regulations adopted by the government in recent years require donor-funded organizations to register and stringently limit their access to financial support from abroad.

Many organizations that ran educational projects for journalists have been closed or severely curtailed amid the clampdown, including IRFS and the Media Rights Institute, which had their offices raided and sealed. Leaders of those organizations, who face arrest in Azerbaijan, have reestablished the groups abroad. The Baku School of Journalism (BSJ), a nonprofit institution founded by the Dutch government, has returned to activity after a hiatus in the mid-2010s, but with fewer students and lecturers. The Institute for Democratic Initiatives (IDI) completed its second journalism school project in March–June 2017, ushering new faces into the media community.

As one panelist pointed out, the BSJ and IDI programs are not widely accessible; for security reasons, admission is by invitation or nomination only (names are put forward by graduates, students, instructors, and independent journalists) and limited to 20 to 25 participants per session. Financial difficulties, including restricted access to grants from abroad, also hinder the progress in this area. There are short training programs abroad, developed

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

especially for journalists operating in repressive environments such as Azerbaijan’s, but they draw from the same small community as do BSJ and IDI.

In recent years, public universities and colleges have instituted a “talent examination” that prospective journalism students must pass in addition to their regular entrance exam. The new test has further driven down journalism school admissions, which were already shrinking, as only two institutions, Baku State University and Nakhchivan University, still have journalism programs. Their curricula are not comprehensive and are often reminiscent of the Soviet era, focusing more on theory than practice. However, classes in new media and online media have cropped up.

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There was even an attempt to create a modern newsroom at Baku State, but the university administration hamstrung it.

Those who are serious about studying journalism generally pursue their degrees abroad. In most cases, they must use their own resources or foreign aid scholarships, as Azerbaijan's own state scholarship program to study abroad ceased in 2015. Even when it was running, journalism was not among the approved fields of study.

“Azerbaijan still lacks classic trade union traditions among the journalists, and that’s a major cause of other problems related to their work,” one panelist said.

Work by investigative reporters suggests that all three cellular operators are controlled by figures at the highest echelons of government. All television transmission goes through the Teleradio Production Union, an arm of the communications ministry. All channels of media distribution, from kiosks to mobile networks, belong directly or indirectly to people in or around senior government who can, and do, hinder dissemination of any content that smacks of protest or opposition.

List of Panel Participants

Due to the restrictive media environment, participants in the Azerbaijan study will remain anonymous. An Azerbaijani journalist developed this chapter after a series of structured interviews in January and February 2018 with colleagues who have firsthand knowledge of the media sector.