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## AZERBAIJAN

The year 2014 witnessed an unprecedented crackdown on independent media and civil society in Azerbaijan. Many of the country's prominent public figures and journalists were arrested, persecuted, and harassed. Ten journalists were imprisoned, including fearless investigative journalists Khadija Ismayilova, Rauf Mirqadirov, and Seymur Hazi. Celebrated rights activists crucial in organizing public defense for political prisoners such as Leyla Yunus, Intigam Aliyev, Rasul Jafarov, Anar Mammadli and others were also imprisoned. Those subjected to arrest were handed bogus charges and given little opportunity to defend themselves in court due to the absence of an independent judiciary coupled with harassment of their lawyers.

The crackdown led to an exodus of vocal opponents of the government, although many activists were unable to leave due to travel bans or went into hiding like the director of the Institute for Reporters Freedom and Safety, Emin Huseynov, who sheltered at the Embassy of Switzerland in Baku.

Observers believe that President Ilham Aliyev's latest crackdown on media and NGOs was out of fear that foreign-backed organizations could be plotting a revolution in Baku, modeled after the Arab Spring or the mass street protests in Ukraine that toppled that country's president, Viktor Yanukovich, earlier in February. On December 3, the head of the president's administration, Ramiz Mehdiyev, published a 60-page manifesto describing journalists, several publications, and NGOs as a "fifth column" plotting revolution.

Azerbaijan's most influential newspaper *Zerkalo* was forced to close. The announcement came after weeks of police raids, testimonies at the Ministry of National Security, and arrest of its prominent journalist Rauf Mirqadirov on April 19th. In a matter of weeks, the government-controlled advertising market and distribution networks deprived the newspaper of necessary income to maintain operations. Another popular media outlet, mediaforum.az, closed at the end of 2014 as it was unable to use its foreign grants. The news agency has unambiguously underscored on its website that the reason for its closure was not a lack of funds but because the government did not allow the organization to use these funds.

More than 20 large local NGOs and a number of international NGOs including IREX, IFEX, NDI, and Oxfam had to halt their work in Azerbaijan. Since 1998, IREX, the publisher of this study, had conducted programs in Azerbaijan to support educational exchange, build professional media, and extend access to the Internet throughout the regions. The decision to close its Baku office was due to pressure from the government of Azerbaijan, including freezing bank accounts, police raids, and a vague criminal investigation.

*Due to the restrictive media environment, participants in the Azerbaijan study will remain anonymous. An Azerbaijani journalist developed this chapter in December 2014 after a series of structured interviews with colleagues in the media sector.*

# AZERBAIJAN at a glance

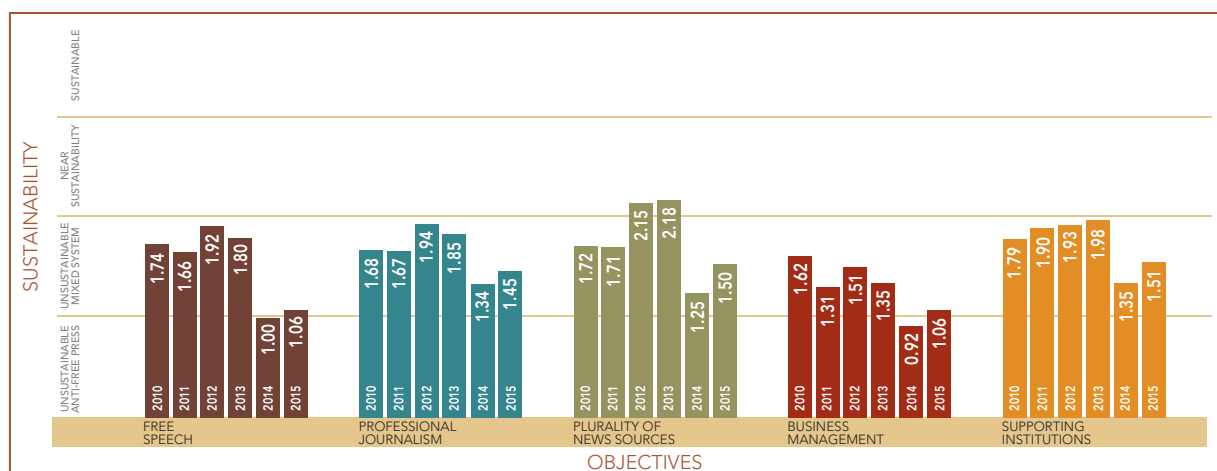
## GENERAL

- > Population: 9,686,210 (July 2014 est. *CIA World Factbook*)
- > Capital city: Baku
- > Ethnic groups (% of population): Azerbaijani 91.6%, Lezgian 2%, Russian 1.3%, Armenian 1.3%, Talysh 1.3%, other 2.4% *note: almost all Armenians live in the separatist Nagorno-Karabakh region (2009 est. CIA World Factbook)*
- > Religions (% of population): Muslim 93.4%, Russian Orthodox 2.5%, Armenian Orthodox 2.3%, other 1.8% *note: religious affiliation is still nominal in Azerbaijan; percentages for actual practicing adherents are much lower(1995 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 (2013-Atlas): \$69.19 billion (World Bank Development Indicators, 2014)
- > GNI per capita (2013-PPP): \$16,180 (World Bank Development Indicators, 2014)
- > 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 publications are the opposition newspapers *Yeni Musavat* and *Azadiq*
- > 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); Azertaj (state-owned)
- > Annual advertising revenue in media sector: Newspapers: about \$1 million; Television: approximately \$30-\$40 million (author estimates; figures are not publicly released)
- > Internet usage: 2.42 million users (2009 *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: AZERBAIJAN



## MEDIA SUSTAINABILITY INDEX 2015: OVERALL AVERAGE SCORES



### CHANGE SINCE 2014

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

**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\\_msiscorers.xls](http://www.irex.org/system/files/EE_msiscorers.xls)

## OBJECTIVE 1: FREEDOM OF SPEECH

### Azerbaijan Objective Score: 1.06

Although the Azerbaijani constitution guarantees the freedoms of speech, thought, and media, in reality citizens continue to be sent to prison for expressing their views. Freedom of speech and the state of media has deteriorated drastically in the past two years. With an unprecedented crackdown on independent media and Western-oriented NGOs, the parameters of free speech narrowed considerably. Panelists agreed that it was a year of serious setbacks since Azerbaijan gained its independence in 1991. “We always knew that there were some limitations, like we wouldn’t joke about the first family, etc., but we were also proud for our achievements. Our neighbors in the region, Central Asian countries and others, looked up to us. We had pluralism, an independent press, and opposition press. It was a matter of pride for us. But now I don’t see much difference between the Azerbaijan and Tajikistan media.<sup>1</sup> We gave up the most precious thing we had: our right to know,” according to one panelist who preferred to remain unidentified.

The arrest of well-known journalist, Rauf Mirqadirov, on April 19th signaled the start of a closing media space

<sup>1</sup> Editor’s note: Indeed, Tajikistan received an overall score of 1.56 this year, in the same range as Azerbaijan’s 1.32.

## 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.

in Azerbaijan. Known for his analytical pieces in the independent *Zerkalo* newspaper, Mirqadirov was based in Turkey. When the Erdogan administration extradited him to Baku he was arrested upon his arrival. Mirqadirov was accused of espionage on behalf of neighboring Armenia. The prosecutor general’s office issued a statement alleging that since 2008, Mirqadirov relayed social, political, and military information, as well as state secrets, photographs, and diagrams for use against Azerbaijan. Independent media ridiculed the charges saying that Mirqadirov could not reveal state secrets because he could not know them. “I attended Rauf’s trial. I monitored what prosecutors had to say. There is no essence, no evidence, no proof whatsoever in these accusations,” an independent journalist affirmed.

A couple of weeks after the arrest of its employee, *Zerkalo* newspaper announced their closure. Following police raids and interrogations at the Ministry of National Security, the leading independent newspaper was forced to halt publishing because the government-controlled advertising market and distribution networks deprived the newspaper of the income it needed to keep operating.

Another media organization that was forced to close in 2014 was the popular website *mediaforum.az*. Created under the auspices of Internews Azerbaijan, the agency had to halt its activities after it was denied approval by the Ministry of Justice, which is necessary to continue to use its bank account. In its last editorial in January 2015, it announced that after 10 years of service, it was closing due to problems caused by the authorities: “We want to highlight that we have no financial problems. Our problem is that the Justice Ministry prevents us from using our funds.”

On December 28, police officers raided the offices of the U.S.-financed Radio Free Europe/Radio Liberty (RFE/RL) in Baku—known locally as Radio Azadliq—confiscating computers and documents and sealing the premises. A dozen RFE/RL employees were detained and questioned. “Azadliq is the last island of free speech in Azerbaijan and now it is under frontal assault,” added one journalist. The government has accused the station and its employees of espionage.

On December 3 the head of president’s administration, Ramiz Mehdiyev, published a 60-page manifesto describing journalists, publications, and NGOs as a “fifth column” plotting a revolution. “Today, disguising their true intentions, various international rights watchdogs, American and European think tanks, and simple non-governmental organizations pretend to work for human rights, democratic values, and market economy and have established a strong network of its branches across the world,” wrote Mehdiyev.

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One panelist working for a news agency believes that one of the goals of this manifesto was to further promote self-censorship among journalists in Azerbaijan. Another panelist who is an independent journalist noted that this manifesto proved to be a powerful message for all journalists and NGOs who were still free. "Everyone got the message. If you work as a non-governmental organization and NGOs are described as a fifth column working for enemy, you understand that it is time to stop what you are doing and leave. And this is what happened. Those who were not already closed down by the government halted their activities." Opposition leader Isa Gambar wrote in his editorial in *Yeni Musavat* on the occasion of international NGOs leaving Azerbaijan: "Do not fool yourselves. They are not leaving; they are forced to leave."

By the end of the year, ten journalists remained in prison, including well-known, award-winning, investigative journalist from RFE/RL Azerbaijan Service Khadija Ismayilova. The prominent journalist stands accused of allegedly pushing a former colleague to attempt to commit suicide. The charge follows a series of exposés by Khadija Ismayilova of corruption among members of the presidential family and other senior officials.

In 2014, new escalation of tension along the Line of Contact between Azerbaijan and Armenia resulted in the killing dozens of soldiers on each side and pushing the countries closer to open war; this also further worsened access to information. Unofficial censorship was introduced following the death of 15 Azerbaijani soldiers in August, which made it unclear what is and what is not state secret. Journalists specializing in covering military affairs were subjected to pressure.

Head of a local watchdog group, Jasur Mammadov Sumerenli, speaking from self-exile in Germany, recalls when he was summoned to the Ministry of National Security three times over his analytical pieces on military reforms. "I was threatened with arrest if I didn't stop writing on military issues. I was told that any writings that concern the country's military have to be pre-approved by the military authorities."

Observers believe that unofficial military censorship was also used as an excuse to foil reports on abuse and bribery in the national army. Thousands of peaceful demonstrators took to the streets of Baku in 2013 demanding an end to violence and corruption in the military forces. Replacing Defense Minister Safar Abiyev did not change the situation in the army. By introducing new regulations on military information the government was able to somewhat curb publicity on dozens of soldiers who have died in non-combat related deaths, including suicides and shootings, according to the "Doctrine" Journalists' Military Research Center.

Licensing of broadcast media remains unfair and strictly political. The National Television and Radio Council (NTRC) is responsible for the issuance and renewal of television and radio licenses. On February 24, the parliament adopted changes to the Law on Broadcast Media. The new amendments envisioned closure of a television station for two regulatory infringements in a year. New amendments also empower NTRC to suspend broadcasters for up to one month without a court order if they fail to pay license fee or violate license regulations. Previous regulations required a court order and a broadcaster could be suspended only up to seven days. Independent media criticized this measure as undemocratic. A panelist who is a media lawyer explained that the limitation puts large national television stations under pressure as they can easily get sued more than twice a year. He characterized the new amendments as "a serious blow" on freedom of press. Experts believe the toughness of these regulations is intended to keep broadcasters dependent on the government.

Registration of print media is seen as fairer, however 2014 saw some regression in this area as well. Media outlets receiving foreign grants were denied approval by Justice Ministry and had to close like mediaforum.az. Start-up conditions for print media, as well as tax regulations, are considered somewhat fair. Newspapers continued to enjoy 18 percent exemption on taxes for purchase of imported newsprint.

Libel remains a criminal offense in Azerbaijan. Media rights activists continued their efforts to decriminalize libel and abolish prison sentences for defamation, but to no avail. At least four drafts have been submitted to the parliament envisaging changes.

In February, at request of the Council of Europe's Human Rights Commission, Azerbaijan's Supreme Court reviewed Azerbaijan's Law on Libel and Defamation in accordance with European conventions. However the Supreme Court upheld the legislation that stipulates up to three years imprisonment for libel. The European Court of Human Rights criticized the use of imprisonment for defamation as a disproportionate restriction on the right to freedom of expression and emphasized that such a penalty has a chilling effect on journalists and the media.

Earlier in 2013, the existing draconian penalties for criminal defamation and insult were extended to online content, including Azerbaijan's vibrant social networks, and public demonstrations. The permitted length of administrative detention, i.e., detention without a court order, is now much greater for many offences. In 2014, more than 40 suits were filed against journalists, most of them against pro-opposition newspapers and their journalists.

Crimes against journalists are poorly investigated. No crimes committed against journalists in 2014 and before have been successfully resolved and no perpetrators have been punished. Nine years on, the killers of Elmar Huseynov, editor of *Monitor* who was gunned down in his apartment building in 2005, walk free. The 2011 murder of prominent journalist and writer Rafiq Taghi also remains unresolved. None of these crimes have been seriously investigated or prosecuted, resulting in a climate of impunity for their perpetrators and infusing a sense of insecurity and fear among journalists.

Official media continue to enjoy better access to public information than those not affiliated with the government. High-level official meetings and visits are typically attended by only a small number of government-affiliated media, namely the official Azertag news agency and state-run AzTV. All other media rely on agencies that offer biased coverage. No other media are allowed to enter facilities where official events are conducted. Even journalists accredited with the president's office are chosen selectively as to which events can be covered. Public information is easily released for media that favor the government. Opposition media find it difficult to obtain a response to their requests. While there is a growing interest in blogs, bloggers still have a difficult time gaining access to information; they are not given the same rights as journalists in participating in press briefings and events.

Journalists can freely refer to all media sources outside of Azerbaijan in their work. However, republishing negative information about Azerbaijan that is sourced internationally is unlikely to be treated differently than if the local media outlet writes the report itself.

No license is required to work as a journalist. Many practicing journalists do not have formal education in journalism. However proof of higher education, such as a university diploma, is required in order to register as a new media outlet with the Department of Justice.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

Azerbaijan Objective Score: 1.45

The panelists had the opinion that significant progress must be made in the areas of professionalism. Media of all political affiliations violate principles of journalism, although only independent and opposition media are sued as a result.

Inspired by European counterparts, journalists in Azerbaijan created and adopted an ethics code, drafted in the spirit of international professional standards and best journalistic

practices. However, the general impression of the panelists is that the code is not implemented in practice. Although the self-regulatory Media Council was established, it is powerless in resolving media disputes without the courts. The Media Council's role in resolving disputes and complaints is minimal: many editors and publishers left the Media Council and considered creating an alternative body. The Media Council's failure to serve as an objective, neutral authority was showcased by its annual award ceremony, when it selected President Aliyev as the guarantor of free media. Independent media ridiculed the decision saying that it was the president's policy that was responsible for the dire financial situation of independent media.

In 2014, the Media Council continued to announce a list of media outlets it considered as "racketeers." The term was used to describe those who used its press credentials simply to blackmail. The Media Council was accused of arbitrarily selecting media outlets and defaming them. One panelist noted that according to Azerbaijan's laws, only the courts have the authority to define anyone as racketeer through due process and called those named in the list to sue the Media Council.

The most common violations of professionalism observed in Azerbaijan include publishing biased information, failure to check accuracy, and publication of questionable sources. The media has been often used to manipulate public opinion. One panelist, a freelance journalist, noted that a number of new media outlets have been created to serve this goal, such as *Bakupost* newspaper that is circulated for free. "We all know how expensive is to print color newspapers in the absence of advertising. But it doesn't bother *Bakupost*. Its

### 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).

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sponsors' mission is not to sell the newspaper but to sell disinformation," the panelist said.

Ethics are severely compromised at pro-government media. They are often used to conduct smear campaigns. For instance, in 2014 government media outlets targeted rights activists, independent journalists, and foreign public officials for criticizing the Aliyev administration. When presidential spokesperson Elnur Aslanov left his post on March 17 over what was believed to be a power struggle with another administration official, Ali Hassanov, some of the government media outlets were used to defame Aslanov. In a series of lengthy articles, Russian-language haqqin.az described him as CIA agent, a purported sympathizer of the Gülen movement in Turkey, a traitor, etc. Interestingly, the owner the owner of haqqin.az was Eynulla Fatullayev, a journalist who used to be critical of the government and served time in prison for libel and other charges. Panelists believe that Fatullayev gave up his journalistic principles and political views after his imprisonment and is being used by the government to manipulate public opinion.

Framing citizens as foreign agents is a common occurrence within the pro-government media. An independent journalist was sued for criminal libel and labeled as a "foreign agent" by the government press in her interview with *Yeni Musavat* newspaper. "No one among the public believes these bogus charges. People think he or she must have stepped on someone's interests among oligarchs, or the government. There is a witch hunt going on in Azerbaijan. If you are influential and criticize the government, you are 'a foreign agent.'"

Self-censorship is widely practiced. Although official censorship was abolished in 1998, journalists admitted to practicing self-censorship to protect themselves against attacks, lawsuits, and arrests. Panelists agreed that 10 journalists serving time in prison sends a powerful message to the whole journalist community. One panelist explained that this year seriously tested the bravery of journalists in Azerbaijan. "It is now hard to be a good journalist and challenge any wrongdoings in a country when the head of the presidential administration frames this work as treason." Another panelist added that increased levels of self-censorship are felt everywhere. "Everyone censors themselves. If you don't, it won't be just you in trouble, but the whole editorial team. Before editors were acting as guarantors for safety of their staff. Now they are saying if you can't protect yourself, no one can," noted the panelist.

Unofficially all national television stations have been censored by special representative whose full-time job is to

prevent sensitive information from being broadcast. Any information that is critical of the government or could stir a national uprising is removed. News shows are the most affected, and almost all its content is filtered in advance. The censors are believed to have connections with national security agencies and work under direct supervision of the president's office. These censors have access to all newsrooms and enjoy full authority to edit a wide range of materials, from small segments in stories to removing entire programs. For instance, mentioning the names of parliamentarians that are not loyal to the government could be left out; if the tone of the story is seen as challenging the ruling elite, the whole story could be removed. Often news staff find out about these changes only by watching the story on air.

Allowing a censor to work in senior management of its newsroom was one of the government's pre-conditions to reopen ANS TV after it was closed in November 2006. The consequence was quickly noticed by the audience, as the station has seriously compromised its independence.

Generally the media strive to cover important national and international events. However political interference is significant when, for example, networks are covering the Arab Spring or other uprisings. Television stations, all under the control of the government, have been instructed to downplay the significance of the conflict between Ukraine and Russia, fearing a repeat of the public protests that toppled President Yanukovich. Television stations adhere to the guidance by covering Russia-Ukraine events strictly from the point of Western interference in regional affairs.

Media are thwarted in their coverage by a lack of interviews with government ministers. In 2014 ministers rarely chose to speak to the press and preferred the occasional opportunity to take a couple of questions instead at a press conference. Similarly, President Aliyev did not do any sit-downs or in-depth interviews with any local media, instead granting the occasional interview to influential foreign media.

Local media have made great strides in reporting on all national political, economic, and social news. However, gaps persist in terms of investigative journalism. For example, the media missed opportunities to report on the multi-million dollar preparations for the European Games that Azerbaijan will host in June 2015. With a majority of its population living below the poverty line, the government decided to pick up the bill for accommodation and travel for more than 6,000 athletes from 50 competing countries. Local critics said the games were being used to polish the country's tarnished reputation in the wake of the crackdown on freedom

of speech. According to a panelist who is an economic expert, the media had more chances to debate spending on Eurovision 2012, noting, “The European Games involve much more public spending, and yet only a couple of months away from its inauguration we do not have any public debate of the issue at all. Everyone is silenced.”

The Nakhchivan Autonomous Republic remains the most hostile environment for reporting. From the moment of arrival until departure, journalists are accompanied everywhere they go. No independent media are able to open correspondent bureaus in Nakhchivan. In other regions the situation with freedom of media is better, but problems with access to information remain.

The Nagorno-Karabakh peace talks with neighboring Armenia continued to enjoy secrecy in terms of media coverage. Journalists are not able to follow and report on the talks. However, the new U.S. co-chair in the OSCE’s Minsk Group (which facilitates the peace talks), Ambassador James Warlick, tried to break the tradition by starting a Twitter account, posting pictures, and sharing notes from peace talks. Unlike the Azerbaijani government—Deputy Foreign Minister Araz Azimov threatened to demand that Warlick be recalled—the Azerbaijani audience welcomed the new openness.

Journalism remains one of the most poorly paid professions in Azerbaijan. According to the Journalists’ Trade Union of Azerbaijan, the average monthly salary at national television stations, news wire services, and daily newspapers ranges between AZN 350 and AZN 600 (\$333 and \$572), which in Azerbaijan is just enough to make ends meet. It is reportedly 15 percent more than last year. Approximately 5 percent of journalists receive a salary ranging between AZN 700 and AZN 1000 (\$668 and \$954). At regional media outlets, salaries are considerably lower and range between AZN 150 and AZN 400 (\$143 and \$382). Panelists agreed that the salaries of journalists are not equivalent to the high risk job they are doing and responsibility it brings with it.

A recent trend is showing that the low salaries are driving journalists to shift to other careers, taking jobs in public relations with various government ministries, NGOs, etc., or switching to completely different professions.

Panelists suggested that entertainment programs have significantly replaced news and information programs for both radio and television.

Turan Information Agency offers various specialized news content. However, there are few specialized journalists.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Azerbaijan Objective Score: 1.50

There are more than 4,000 registered publications and 50 news agencies in Azerbaijan, but only about 600 of them are active. The Press Council lists around 30 daily and more than 100 weekly newspapers. About 100 newspapers and magazines are published in the regions. One of the most influential newspapers, *Zerkalo*, and the Azeri-language edition of *Ayna* closed in 2014. The largest national television stations are AzTV, ITV (Public Television), Khazar TV, ATV, ANS TV, Lider TV, and Space TV. There are 13 regional television stations.

In 2014 a couple of newly registered news outlets entered the market, becoming quickly popular. These include *oxu.az*, *publika.az*, *axar.az*, and others. These agencies offer a fresh look at events, soft news, and an informal style.

Among newspapers, *Zerkalo* and *Ekho* are seen as the only dailies offering a wide spectrum of political viewpoints. *Yeni Musavat* daily continues to enjoy its popularity and is the most sold newspaper. However its editorial independence has been compromised amid the general belief that an oligarch close to the Ministry of Interior Affairs has taken over ownership. Among television, Khazar TV and ANS TV

### 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.



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stand out for their relative pluralism. Independent Turan news agency and its contact.az site enjoyed the highest ratings from panelists for the credibility of its news. APA news agency grew bigger, starting online television, but is seen as semi-government and lacking balance.

A large number of registered media outlets indicates that there is not a lack of information sources in Azerbaijan; panelists also agreed that the variety of news sources allows representation of different political viewpoints, even if one must do a lot of work to find those viewpoints. All types of media—print, broadcast, and online—have created multiple sources of information. However television remains the major source of news. In many rural areas with still-poor access to the Internet and problematic distribution of newspapers, more than 90 percent of the population still relies on television news.

In most cases, newspapers and magazines are used for political purposes. Many officials and public figures own their own newspapers. They run lengthy interviews with their influential owners and care little about plurality, editorial standards, and journalistic principles. For instance, readers of *Khalg Jabhasi* newspaper know that it is run by parliamentarian Gudrat Hasanguliyev and there is no expectation of pluralism.

There is no legal restriction on citizens wishing to read, listen to, or watch foreign media. Russian and Turkish television channels are widely watched mostly for entertainment programs. Russian broadcasts of Euronews gained in popularity among those who have access to cable television. However, NTRC revoked the broadcast licenses in 2009 for three foreign broadcasters: BBC, VOA, and RFE/RL. Their Azeri-language broadcasts continue online. Among the three, RFE/RL's Azerbaijani Service enjoyed the highest popularity.

Azerbaijan does not block or otherwise restrict access to international social media sites. The growing influence of social networks (Facebook, YouTube, and Twitter) is evident. According to the Ministry of Communications and Information, there are more than 1.25 million Facebook users in Azerbaijan. Social networks are widely used for publicity during elections and other outreach purposes and represent an important forum for the constant exchange of opinions.

There is one public television and radio broadcaster (ITV) and one state television (AzTV). The latter was expected to have closed based on Council of Europe commitments but has not. The dominant public opinion is that local and national public and state-owned media are under the control of the ruling elite, and as a result state and public media spend a predominant amount of time reporting on the government and its leaders. "In ITV, only the word 'public' in its name is public," said one panelist. "Its shows

on culture, history, and music are good, but not enough to make it public. True public television starts with its news policy. They should stop ignoring the political opposition of the country. I see no difference between ITV and [state-owned] AzTV," noted one panelist.

There is only one independent information agency, Turan News Agency.

All broadcast media outlets produce their own news programs. Khazar TV remains a leader for its news programs and its evening news program enjoys the highest ratings. ANS's daily news and weekly analytical program *Hesabat* are also popular. However, some panelists feel that ANS compromised its independence after its last 18-day closure by the government eight years ago.

Despite the fact that broadcasters produce their own news, they also run stories handed to them. All government ministries have a department of media relations. Several ministries expect news outlets to run their stories as prepared. For instance, the National Security Ministry's video on the arrest of people suspected of belonging to radical religious groups was presented by television channels as their own news story, leading to confusion among the audience.

Transparency of media ownership remains problematic. Among commercial television stations, only ANS TV's founding ownership is clearly indicated on its website: Vahid Mustafayev, his brother Seyfulla Mustafayev, and Shahin Agayev. Knowledge of ownership of other commercial television networks, such as ATV, Lider, Space, and Khazar are based on assumptions. It is believed that the president's sister, Sevil Aliyeva, currently residing in the UK, is the owner of Space TV. Manager of Lider TV, Adalat Aliyev, is the president's cousin. Ownership of ATV is mixed: for many years Diaspora Minister Nazim Ibrahimov and his businessmen brothers were considered to be its co-owners along with two high-ranking officials from the president's office, Ramiz Mehdiyev and Ali Hasanov. In early 2012, the brothers Taghi and Namig Ibrahimov were forced to leave the company.

As reported last year, minority-language media exist and mainstream media are tolerant of minorities. Broad information and news can be found in Russian, although less in Talysh, Lezgi, and Kurdish. Talyshi Sado, a Talysh-language newspaper, is not printed now but does have a website. There are some other minority-language media outlets, which are pro-government with a small readership.

Coverage of international news relies mostly on reports from foreign agencies such as AP, Reuters, AFP, ITAR-TASS, Turkey's IHA, Iran's IRNA, and others. Only a few outlets have their own bureaus overseas, due to financial reasons and the fact that most media outlets focus on domestic news.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Azerbaijan Objective Score: 1.06

The advertising market continued to shrink in Azerbaijan. In television, the largest segment of the market, overall volume of advertising decreased from \$102.5 million in 2008 to \$57.7 million in 2014. While overall online advertising increased across the world, in Azerbaijan in 2014, it was half of what it was the previous year: \$3.8 million. Opposition politicians argued that the reason behind this is an intentional effort to curb the media's ability to prosper on its own, ensuring their dependence on the government.

Even the limited advertising revenues are placed selectively, resulting in poor business performance of media outlets that do not toe the government line. Advertisements are placed based on political considerations or business and family ties rather than market principles. A panelist who is the editor-in-chief at a local newspaper added that there is no way for a newspaper to obtain advertising without being on the list approved by the president's office. "I didn't realize it was such a huge problem and is handled in such a centralized way. All our efforts were in vain. Only news 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 reason. But without them our advertising revenues are zero," the editor said. *Yeni Musavat* newspaper is one of those outlets that for years had to sustain itself on sales of hard copies only. Similarly, other pro-opposition outlets also struggled to make ends meet in the absence of any advertising.

### 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.

As a result of the woes of the shrinking advertising market, dependence on government subsidies continues to increase. The number of newspapers and news agencies receiving grants and awards from the State Council to Support Media grew further. In 2014 the Council gave out grants for AZN 2.5 million (\$2.4 million) to finance media projects, AZN 132,000 (\$126,000) for salaries and awards, AZN 29,000 (\$27,700) for social protection of journalists and AZN 98,000 (\$93,500) for journalist competitions. Only the fiercest critics of state support for media refrain from applying for awards and gifts. Over 100 editors-in-chief and senior reporters received awards, medals, cash, and gifts from the Council. One panelist, an editor-in-chief, explained that the Council fails to achieve its major aim of contributing to the development of media. "All it does is gives out money and does not help newspapers to sustain and flourish financially." In 2014, the Council ushered in a new trend by withdrawing funds that had been already allocated to a media outlet when it failed to please the government, as seen with the *Zerkalo* newspaper.

Free housing for media professionals is another tool to increase journalists' dependence on the government. In 2014, new construction was planned to accommodate 150 families. Journalists competed to get on the lists of beneficiaries. Those who already receive similar benefits were reluctant to criticize, and those who are on waiting lists are doing their best to prove their loyalty. An independent journalist explained that it has become a trend that on July 22, the holiday celebrating the media, loyal journalists receive keys to their new homes and independent journalists receive a court summons. He noted that it is "hard to miss the message."

There are no set boundaries between advertisers and media owners. Even though duties and obligations are laid out in signed agreements, businesses often abuse their status as advertisers and intervene with editorial policy. They threaten not to renew or even withdraw their advertising if a media outlet runs a story criticizing them.

Nascent advertising agencies exist, but show no transparency. Media programming that advocates human rights and democracy, or contains investigative reporting, political debates, and analytical journalism stands little chance of receiving business from them. Advertisers want to make sure that nothing in the programming they sponsor will upset the government. Therefore programs that are most likely to succeed are entertainment shows, cooking programs, style and fashion shows, health reports, and singing competitions.

The panelists agreed that market research is insufficient in Azerbaijan. Media companies are either barely profitable

or unprofitable, and therefore lacking the funds to hire specialized, competent research agencies. Media outlets tailor their products based on basic knowledge of needs and interests of their audiences. Outlets have ideas about their readers and audience based on perception rather than research.

Audience measure for television exists, and television networks follow vigorously daily viewership ratings. Only official AzTV shows no interest in having its programs rated. AzTV receives a generous budget from the state and significant advertising regardless of its ratings. Its giant budget on top of its vast advertising revenues has put AzTV in a position where no commercial television station can compete with it. All the other stations routinely follow ratings produced by AGB/Nielson, an international rating service, to attract more advertising.

The public debates energetically about television channels' fascination with ratings. Various interest groups feel that the race for television ratings is to blame for the rise of shallow and at times unethical entertainment shows versus high-quality, educational programming. Others consider that viewership is an important factor to follow.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Azerbaijan Objective Score: 1.51

The panelists expressed the general feeling that professional media associations are poorly developed and weak, with limited capacity to make a difference. The Press Council is seen as being pro-government and several disenchanted media leaders spoke in favor of creating an alternative council.

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

One of the consistent problems in workplaces is the signing of formal labor contracts. Many journalists, especially those beginning their careers, work with no employment contracts. Most media outlets do not offer their employees medical insurance and other benefits.

Another violation of the Labor Code includes many media organizations registering their employees as individual entrepreneurs in order to avoid paying social benefits. There

are no regulations in place to ensure payment of social benefits for certain work hours. Journalists are expected to work overtime without any extra pay. Some media organizations, like ANS TV still have a six-day work schedule despite the forty-hour work limit in effect throughout the country. Therefore low payment and close to no 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 rise to higher positions with better pay and work conditions, typically not in media.

Panelists agreed that NGOs do their best to attract the public's attention to the problems journalists face. When journalists have been attacked, blackmailed, or harassed, the Institute for Reporters' Freedom and Safety (IRFS) helped them more than anybody else. The Media Rights Institute was seen as a venue to alert the local and international community on upcoming attacks on freedom of the media in a timely manner. Rights activists Leyla Yunus, Mirvari Qahramanli, Arzu Abdullayeva, Saida Gojamanli, Novella Jafaroglu and others served as watchdogs and reacted regularly to violations of freedom.

However 2014 was the year when many NGOs protecting journalists were forced to close down or suspend their activities. IRFS director Emin Huseynov went into hiding in the Embassy of Switzerland. The Prosecutor's Office has since sentenced him in absentia to prison. The founder and chair of Human Rights Club, Rasul Jafarov, was arrested on August 2. He had been compiling a comprehensive list of victims of politically motivated arrests in Azerbaijan and pressing for their release. The arrest of two fearless women

## 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.

activists, rights defender Leyla Yunus and investigative journalist Khadija Ismayil, sent a shocking message to the public that women were no longer exempt from repression. "It was like putting your icon into jail. No sacred values left," said one panelist.

Panelists agreed that NGOs' activities made it difficult for crimes against journalists to go unnoticed. They were quick to organize press briefings, send out news releases, and sound the alarm every time journalists were targeted. Panel members said better coordination between the NGOs would contribute to the improvement in the situation. However, at the end of the year it was unclear how many NGOs are still functioning in the wake of unprecedented crackdown on civil society and free media.

Several universities offer journalism education. As in previous years, journalism students have various options for formal and other informal specialized programs. The panelists explained that universities favor theoretical over practical knowledge. Baku State University and Slavic University have in-house television and radio studios. ANS TV offers journalism courses jointly with the U.S. Embassy in Baku. AzTV also has its own program, the Television and Radio Academy, for its entry-level journalists. The Dutch School of Journalism offered several spots in year-long training courses mostly for print journalists. A couple of Azerbaijani students also took journalism classes at the Caucasus School of Journalism in Tbilisi, Georgia. But the multi-million dollar State Education Program sponsoring the study of Azerbaijani students abroad does not extend to those wishing to study journalism. While Education Ministry officials said only "skills of urgent need" are included, independent experts argue that the absence of journalism, political, and religious studies is not incidental; western-oriented journalists are not welcome in Azerbaijan.

Azerbaijan Printing House remains the most used printing facility. Despite a number of new private print companies, the once state-owned Azerbaijan remains the cheapest.

Media distribution remains restricted and politically driven. There is no reliable delivery of newspapers to the regions. The pro-government Azermetbuatyayim company delivers government newspapers only. Even in Baku, the capital city, there is selective distribution of independent and opposition newspapers, and vendors are barred from selling popular opposition newspapers. The government has directly interfered with distribution of newspapers in the past, confiscating news kiosks of the privately held Qaya distribution company. These kiosks have not been returned despite a 2005 presidential decree ordering their restoration.

On July 19, pro-opposition *Azadliq* newspaper employees held a protest rally in front of Qasid Distribution Company, demanding payment of its debt of AZN 39,000 (\$37,200) for sold newspapers. The newspaper noted that the private company's refusal to pay its debt causes serious financial difficulties for the newspaper and its staff. The newspaper struggled to pay salaries and its bank account was frozen due to a \$30,000 court fine. A journalist noted the development as politically driven and explained that the debt was deliberately not paid and the government was using the distribution company to close the opposition newspaper.

There is no restriction regarding importation and sale of media equipment or mobile and other IT devices. In 2014, there were around 40 Internet service providers in Azerbaijan; three of them (Aztelekomnet, Bakinternet, and Azdatakom) are state companies. According to Delta-Telecom, the major Internet service provider of the country, the largest secondary providers and their shares in the market are as follows: Bakinternet (27.6 %), Aztelekom (17.21%), Uninet (10.7%), Azeronline (7.3%), DataPlus (4.9 %).

In May, Delta Telecom lowered the fixed price for 1 MB of Internet from AZN 50 to AZN 25 (\$48 to \$24) for secondary providers, which positively affected customer prices. The number of Internet users continues to rise: according to Internet World Stats, in 2014 50 percent of the population is using the Internet, making Azerbaijan the leader in the region.

## List of Panel Participants

*Due to the restrictive media environment, participants in the Azerbaijan study will remain anonymous. An Azerbaijani journalist developed this chapter in December 2014 after a series of structured interviews with colleagues in the media sector.*