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Trumped-up Charges to Silence an Investigative Journalist in Azerbaijan

SOURCE OF THREAT ▶ State

CATEGORY  ▶ Detention and imprisonment of journalists

PARTNER: EFJ/IFJ, RSF

The investigative journalist Khadija Ismayilova, a leading figure in the battle for press freedom in Azerbaijan, was arrested on 5 December 2014 on a trumped-up charge of inciting a former colleague to commit suicide. Her preventive detention has been routinely extended ever since and on 13 February 2015, she was additionally charged with large-scale embezzlement, illegal trading, tax evasion and abuse of authority. The new charges follow a 26 December 2014 raid on the Baku bureau of Radio Azadliq (the Azerbaijani service of Radio Free Europe/Radio Liberty), which Ismayilova ran until just over four years ago. Radio Azadliq was closed and placed under seal after being searched.

RWB calls these charges frivolous and considers that Khadija Ismayilova's arrest is merely a punishment for her brave journalistic activities. An award-winning journalist, she is well known for deep investigations into the corruption at the highest levels of government. Ismayilova's arrest was condemned by the OSCE Representative on Freedom of the Media Dunja Mijatović, the Parliamentary Assembly of the Council of Europe President Anne Brasseur, the US Department of State, Amnesty International, Human Rights Watch, Freedom House, RSF, the IFJ, the EFJ, Index on Censorship, the CPJ and many others. For most of these organisations, the arrest of Ismailova is nothing but intimidation, part of an ongoing campaign aimed at silencing free and critical voices in Azerbaijan.

UPDATES

15 Jan 2019: On 10 January 2019, the European Court of Human Rights (ECHR) delivered its judgment in one of the cases filed by Khadija Ismayilova (as the target of a systematic smear campaign comprising threats, intimidations and gross violations of her privacy designed to prevent her from pursuing her journalistic work). The ECHR found violations of Articles 8 and 10 of the European Convention on Human Rights by Azerbaijan in respect of these intrusions into the journalist's private life.

 [ECHR judgment in the case of Khadija Ismayilova v. Azerbaijan](#)

07 Feb 2018: On 30 January 2018, the Baku Court of Appeal refused to lift a travel ban on Khadija Ismayilova.

10 Aug 2016: On 8 August 2016, the Court for Serious Crimes ordered Khadija Ismayilova's suspended term to be shortened to 2 years and 3 months:

➔ **Article published on Radio Free Europe's web site**

25 May 2016: On 25 May 2016, Azerbaijan's Supreme Court has ordered to release Khadija Ismayilova from custody after reducing her prison sentence from 7.5 years to a suspended term of 3.5 years.

➔ **Article published on Radio Free Europe**

25 Nov 2015: On 25 November 2015, the Baku Court of Appeal upheld the verdict of the court of first instance, sentencing Khadija Ismayilova to a 7.5 year prison term.

➔ **Article published on the news portal 'contact.az': "The court leaves Khadija Ismayilova in custody"**

03 Sep 2015: On 1 September 2015, a Baku court sentenced Khadija Ismayilova to 7 and a half years in prison on charges of misappropriation and embezzlement, illegal business dealings, tax evasion and abuse of power. In her closing statement, Ms Ismayilova denounced the case against her as politically motivated with the aim of ending her investigations into corruption at the highest levels of government. The AEJ, Article 19, EFJ/IFJ and Reporters Without Borders jointly denounce the verdict and sentence against Khadiya Ismayilova as based on fabricated evidence and legally unsound. They call for the verdict to be reversed, for the case against Ismayilova to be dismissed, and for her immediate and unconditional release.

➔ **Press release by EFJ/IFJ : "IFJ and EFJ condemn "outrageous" 7.5 year jail sentence for Azerbaijani journalist Khadija Ismayilova"**

21 Aug 2015: Khadija Ismayilova's hearing began in Baku on 7th August, and culminated in a request on 21st August by the State Prosecutor to sentence her to 9 years in prison. The judge has adjourned the case until 26th August, when a verdict is likely to be delivered. The State Prosecutor's request to condemn Ismayilova to 9 years' imprisonment is a gross violation of human rights, given the lack of due process in the case and the absence of any credible evidence presented by the prosecution. Ismayilova has accused the court of rushing through her trial and not giving her sufficient chance to respond to the charges. Only some representatives of foreign embassies were allowed to attend the trial; and no independent media or civil society were present. The IFJ, the EFJ, ARTICLE 19, and AEJ urge the Azerbaijan authorities to reject the Prosecutor's request and immediately free Khadija Ismayilova.

ADDITIONAL INFORMATION



- ➔ Press statement by the Deputy Spokesperson for the US State Department: "Sentencing of Azerbaijani Investigative Journalist Khadija Ismayilova"
- ➔ Statement by High Representative/Vice-President Federica Mogherini and Commissioner Johannes Hahn on the sentencing of Khadija Ismayilova in Azerbaijan
- ➔ AEJ Statement on the arrest of leading Azerbaijan journalist Khadija Ismailova
- ➔ Article on the IFJ website on "Azerbaijan: Stop harassment and legal action against leading investigative journalist"
- ➔ Article on the EFJ website on "Azerbaijan: Stop Harassment against Investigative Journalist Khadija Ismayilova"
- ➔ Article on the EFJ website on "Azerbaijan puts investigative journalist Khadija Ismayilova in prison"
- ➔ Article on the RSF website on "New charges brought against well-known detained journalist"
- ➔ Article on the RSF website on "Azerbaijani journalist Ismayilova begins third month in detention"
- ➔ Article on the RSF website on "RWB launches petition for release of Azerbaijani journalist Ismayilova"
- ➔ Article on the RSF website on "Two months preventive detention ordered for Azerbaijani journalist"

STATE REPLIES



01 Jun 2015 | Reply by the Government of Azerbaijan

- ➔ Written Response by the Government of Azerbaijan

FOLLOW-UPS



OSCE 26 May 2016 | Statement of the OSCE Representative for Media Freedom

- ➔ Press release by the OSCE Representative on Freedom of the Media: "OSCE media freedom representative, human rights chief welcome release of Khadija"

Ismayilova"



25 May 2016 | Statement of the CoE Commissioner for Human Rights



CoE Commissioner for Human Rights' facebook post



21 Jan 2016 | CoE Commissioner for Human Rights Nils Muižnieks intervenes before the European Court of Human Rights on the case of Khadija Ismayilova

 **Press release from the Commissioner's office**



01 Sep 2015 | PACE President deplores Khadija Ismayilova sentence in Azerbaijan



Statement of Anne Brasseur



01 Sep 2015 | Statement by the Spokesperson of Secretary General Jagland on the verdict in the case of Khadija Ismayilova in Azerbaijan

 **Press release**



01 Sep 2015 | Statement of the OSCE Representative for Media Freedom

 **Press release by the OSCE Representative on Freedom of the Media: "OSCE Representative and Council of Europe Commissioner for Human Rights condemn sentencing of journalist Khadija Ismayilova in Azerbaijan"**



21 Aug 2015 | Statement of the CoE Commissioner for Human Rights



CoE Commissioner for Human Rights' facebook post