

**Supplementary Human Dimension Meeting
on Freedom of the Media:
Protection of Journalists and Access to Information
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**Protection of journalists: administrative measures
(In light of the requirements of the Copenhagen document of 1990)**

I will try to cover this topic by answering two questions: how pluralistic are the mass media themselves and how tolerant is the government machinery towards a different way of thinking in the media sphere?

The questions are deliberately posed from this angle, because, if there is no true pluralism in the mass media and tolerance towards a different way of thinking, one cannot talk about serious administrative measures aimed at protecting the right to access to information. You can sign one or hundreds of Copenhagen documents and it will not help.

It is difficult to understand the situation. Laws draw a picture of a cloudless sky: based on them, there should be no problem with pluralism and tolerance in the media sphere in Azerbaijan at all. The government of Azerbaijan keeps emphasizing this. However, the mass media continue to complain, citing numerous examples of pressure on journalists and discrimination against non-government mass media.

Medical doctors say that to make sure that a person has all fingers there is no need to have him X-rayed; it is enough to have a look at his hands. Let us have a look at the “fingers of pluralism” in the media field in Azerbaijan.

1. Procedures for registering and issuing licenses to mass media.

Here the print media actually does not experience any difficulty. On the contrary, there is a public debate on the too liberal laws regulating the registration of newspapers and magazines. The reason for such a debate comes from the fact that people who do not have anything to do with journalism use newspapers with the only aim of discrediting and libelling their rivals and blackmailing officials and businessmen in order to extort money from them. Today, such newspapers make up at least 60 per cent of all the print media registered in the country. The government demands that journalists’ organisations actively deal with this problem and considers it as a number one task for national journalism. However, journalists’ organisations are powerless to resolve this problem. First, the roots of “journalism of blackmail and racketeering”, as it is called in Azerbaijan, do not lie in the profession itself, but in the atmosphere of corruption and bribery which gives birth to large numbers of such bad newspapers. Second, it can be seen from majority of such publications, that some very high-ranking officials, sometimes whole state agencies use this as a tool to fight among themselves, and sometimes simply aim to discredit the name of the journalists in society.

The picture is quite different for the electronic mass media. They are almost completely controlled by the administrative apparatus. Only a person with a very developed sense of humour can speak about independence and pluralism of broadcast media in Azerbaijan. Not a single new TV company has been able to obtain a broadcasting licence in the country in the last five years, including “Yeni TV”, four of whose six founders are attending our conference. This company has been registered in the Czech Republic but not in Azerbaijan. According to the law, every year the Ministry of Communications and Information Technologies must present the National Council for TV and Radio Broadcasting with a list of free frequencies to be put out to tenders. Nobody has seen this list, nor have there been any tenders.

2. Access to information and procedure for accrediting journalists.

The Council of Europe organised a three-day training course for the heads of the press services of state agencies in one of the picturesque corners of Azerbaijan at the end of June 2006. Having returned from their short “leave”, they started practicing new “skills”: they all started refusing to answer journalists’ verbal questions (mainly those asked over telephone). Now the press services require the media to submit all questions (regardless of how important or difficult they are) only in writing because “according to European standards”, they need to be registered. Some ministries stopped accepting even questions by fax: only the first copy must be submitted and only by post or personally.

Journalists of all the mass media – independent, opposition and government – are suffering from this change. However, an individual approach is taken during accreditation of journalists. As a rule, journalists of unwanted publications are not allowed to attend events of state importance and important court trials. Sometimes solidarity of journalists helps in such situations: a person from a government publication, who has no problem in accessing a minister’s press conference, also takes to the session room the tape recorder of a colleague from an opposition newspaper, who was not allowed to attend the conference. But such solidarity is not commonplace in Azerbaijan, unfortunately.

One can also witness another type of situation. The independent newspaper “Gun” (“Day”) has not been able to obtain accreditation from the Office of the President for 18 months now. This means that journalists of that particular newspaper do not have rights to attend any event with the President’s participation, be it the inauguration of a pipeline, international exhibitions or an orphanage. The President’s press secretary explains this by saying that the press service issues accreditation only once a year. Such an “agricultural” approach (though even strawberries are harvested twice a year) to the work of the country’s No 1 press service is very strange. Nonetheless, we have not been able to obtain accreditation in 2006 either. They say that the press service is very busy, there is no time to deal with the accreditation issue, and therefore old accreditations have been automatically extended for the time being and new appeals (I should remind you that this “new” appeal is 18 months old now) are yet to be considered.

An interesting case illustrating the situation in the sphere of access to information in Azerbaijan happened to VOA correspondent Tapdyg Farhadoglu this year. He phoned the Presidential press service at nine in the morning with one single question, which the members of this department refused to comment on. He was told that the press secretary was with the President and would be back later. He phoned again two hours later and received the same answer. The “cat and mouse” game lasted until the evening. After six calls, the journalist had nothing to do but speak about the story in his report and added: “I have the impression that the President and his press secretary work in the same room”, instead of providing comment on an issue of interest to radio listeners.