



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations**

GENEVA

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, has the honour to transmit herewith the information by the Government of the Republic of Azerbaijan for the thematic report on the issue of opportunities, challenges and threats to media in the digital age, to be submitted by Ms. Irene Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, to the Human Rights Council at its 50th session.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Enclosure: 3 pages



Geneva, 28 January 2022

**Office of the United Nations
High Commissioner for Human Rights
GENEVA**

1. **a) What are the key trends, threats or challenges to the freedom, independence, pluralism and diversity of media and the safety of journalists in your country, region, or globally in your view?**

Azerbaijani media representatives had faced challenges related to the safety of journalists, during the former Armenia-Azerbaijan Nagorno-Karabakh conflict. During the First Karabakh War 7 Azerbaijani journalists were brutally killed by the Armenian Armed Forces.

On June 4, 2021, a vehicle carrying members of the film crew hit an anti-tank mine on the road in Susuzlug village of Kalbajar region. As a result of the explosion, two members of the film crew, operator of Azerbaijan Television Siraj Abishov and correspondent of the Azerbaijan State News Agency Maharram Ibrahimov, as well as representative of the district executive power Arif Aliyev were killed and four people were injured. Azerbaijan constantly raises, at the international level, the issue of deliberate and large-scale planting of landmines by Armenia in the territories of Azerbaijan in gross violation of international humanitarian law, including the Geneva Conventions of 1949.

During the Patriotic War the military circles of Armenia invited representatives of foreign media to the occupied Azerbaijani lands, without any guarantees, which poses a serious threat to their life and health. This was a disregard to the norms and principles of international law, procedural requirements based on the rights of Azerbaijan as a sovereign state. It is also an open manipulation of freedom of speech and expression over the lives of journalists. The professional activity of representatives of foreign media in Azerbaijan is regulated by their accreditation at the Ministry of Foreign Affairs of the Republic of Azerbaijan.

c) Please highlight the gender dimensions of the trends and their consequences for the equality and safety of women journalists as well as media freedom.

Sadly, 10 Azerbaijani journalists have been the victims of Armenian aggression, 2 of which are women journalists:

- **Salatin Asgarova** was shot dead in a car surrounded by Armenian armed forces in the vicinity of Shusha city, on January 9, 1991.
- **Zibeyda Adilzada** was killed in a mine explosion planted by Armenian armed forces while driving in liberated Seyidahmadli village of Fuzuli district, on November 28, 2020.

2. **What legislative, administrative, policy, regulatory or other measures have Governments taken to promote press/media freedom, including media independence, pluralism, viability and ownership issues? What has been the impact of these measures? What changes or additional measures would you recommend?**

By the decree of the President of Azerbaijan on drafting a new law "On Media", a working group consisting of the Milli Majlis's (Parliament) representatives, media and legal experts was formed to draft the new law. The draft law on Media presented for consideration aims at strengthening mechanisms to ensure unrestricted and effective implementation of the professional activities of journalists, protecting the creative and editorial independence and pluralism of media at the highest level, stimulating media to report in an objective and

professional manner, respecting the fundamental freedom to seek, receive, and impart information, which is vital to democracy. This will increase mutual confidence and trust between the public and the media.

The draft law takes into account international norms and principles and advanced experience of other countries in the field of freedom of expression and media. The draft law "On Media" had been presented to leading media outlets and discussed with more than 800 journalists, media representatives and experts, before it was introduced for discussions in the Parliament. In addition, several public discussions on the draft with the participation of hundreds of media representatives and experts and members of civil society were also organized at the parliamentary level. In the course of drafting of provisions of the law, a clear distinction was made between various types of media. Furthermore, the draft's provisions are not applied to social networks, video sharing platforms, bloggers or other types of activities within this category and do not regulate their activities.

The draft interprets the concept of a journalist much broader than existing relevant laws and considers those working officially in any media and those acting as freelancers as journalists. According to the draft law the application of the status of a journalist, is not limited solely to those working for newspapers, magazines, television and radio, but also applies to those working for websites and recognizes their rights emanating from this status.

Based on the vast experience of the European countries, the draft law provides an opportunity to maintain the notification register of the respective media entities, facilitate the use by media of simplified procedures related to their activities and more effectively protect the rights of media entities. In accordance with the draft, establishment of a media entity will not require authorization from State bodies. The draft limits the State bodies' right to establish media entities, thus taking an important step towards preventing unfair competition and creating broad opportunities for media to continue their activities in a free, independent and pluralistic environment.

In order to facilitate an open and effective access to information by the public, the draft law obliges State institutions to provide media representatives with detailed information about any fact and incident. Moreover, advanced norms have been developed within the draft to protect the copyright of information published or broadcasted via media. Special attention has also been paid to establishing mechanisms to protect the rights of journalists related to the products resulting from their professional activities. Following international practice, the draft law allows journalists to obtain a journalist ID card on a voluntary basis. However, it is important to note that such cards will not classify a person as a journalist, but will only confirm that information about its holder is listed in the register of journalists.

Taking into account the international practice, the draft envisages a legal assessment by a court of violations of law in the media field, thus limiting the power of State bodies (institutions) in this area.

The purpose of the draft law is to ensure that the new legislation on media corresponds to modern media developments, challenges, and trends and expand the scope of activities in

the media field. It will protect the rights of the media entities, including those arising from the development of information and communication technologies; it will guarantee media freedom, legitimacy of which is guaranteed by full respect to the rights to the freedom of opinion and expression, which include the freedom to seek, receive and impart information.

3. What measures are Governments taking to support public service media? What has been the impact of such measures? What changes or additional measures would you recommend?

Advancement of free media and freedom of expression is the priority of the Government, which is reflected in establishment of the Media Development Agency of the Republic of Azerbaijan. In accordance with the Decree of the President of the Republic of Azerbaijan "On deepening reforms in the field of media in the Republic of Azerbaijan" dated January 12, 2020, in order to support the development of media in the Republic of Azerbaijan, continue institutional construction work in this area, stimulate the use of new information and communication technologies and innovations, a public legal entity "Media Development Agency of the Republic of Azerbaijan" (abbreviated MEDIA) was created.

The purpose of establishing the Media Agency is to ensure the economic independence of media entities, to create conditions for the formation of a new economic model in the relevant field, to make all types of media, that is, both print and online, as well as audiovisual media entities, competitive, and to act as a guarantor of freedom of thought, speech, pluralism. In accordance with its charter, the agency organizes work with the purpose of improving the activities of media entities, increasing the professionalism and responsibility of journalists, including the implementation of measures aimed at their social protection, training media professionals and organizing their additional education, as well as increasing media literacy of users of mass media. A set of measures is carried out aimed at increasing the media literacy of the population or individual segments of the population, the formation of rules of behavior in accordance with social norms, the development and publication of programs and materials in the media aimed at attracting their attention to urgent issues in society.

Another important step to strengthen social protection of journalists was an effort to improve the housing conditions of journalists. To this end funds were allocated from the Contingency Fund of the President of Azerbaijan to the Fund of State Support for Mass Media under the President of Azerbaijan for the construction of residential buildings for journalists, which were inaugurated and distributed to media representatives in 2013 and 2017. Each year, the state budget allocates funds for television, radio and publishing houses, the sum of which in 2021 was 67,482,949 manats (approximately 39.4 million USD).