

## Excerpt from the Committee to Protect Journalists'

### Special Report on Journalists in Prison

(as of December 1, 2007)

#### Journalists held by OSCE Participating States

##### **ARMENIA: 1**

**Arman Babadzhanian**, *Zhamanak Yerevan*

IMPRISONED: June 26, 2006

The Yerevan prosecutor general summoned Babadzhanian, editor-in-chief of *Zhamanak Yerevan*, purportedly for questioning as a witness in a criminal case. Instead, authorities charged him with forging documents to evade military service in 2002 and took him into custody, according to international press reports.

At his trial, Babadzhanian pleaded guilty to draft evasion but said the charge was in retaliation for the paper's critical reporting. Days before his arrest, *Zhamanak Yerevan* published an article questioning the independence of the prosecutor general's office, according to the London-based Institute for War and Peace Reporting.

On September 8, 2006, a district court in Yerevan sentenced Babadzhanian to four years in prison on charges of forgery and draft evasion, according to the Armenian service of Radio Free Europe/Radio Liberty. An appeals court later reduced the penalty by six months.

On July 19, an independent Armenian committee that oversees requests for early release of convicts rejected Babadzhanian's appeal, according to the local press reports.

##### **AZERBAIJAN: 9**

**Sakit Zakhidov**, *Azadlyg*

IMPRISONED: June 23, 2006

On October 4, 2006, a court in Baku convicted Zakhidov on a drug-possession charge and sentenced him to three years in prison. He was placed in the Bailovsk Prison in Baku.

Police arrested Zakhidov, a prominent reporter and satirist for the Baku-based opposition daily *Azadlyg*, and charged him with possession of heroin with intent to sell. Zakhidov denied the

charge and said a police officer placed the drugs, about a third of an ounce, in his pocket during his arrest, according to local and international news reports.

His arrest came three days after Executive Secretary Ali Akhmedov of the ruling Yeni Azerbaijan party publicly urged authorities to silence Zakhidov. At a June 20, 2006, panel on media freedom, Akhmedov said: "No government official or member of parliament has avoided his slanders. Someone should put an end to it," the news Web site *EurasiaNet* reported.

**Samir Sadagatoglu**, *Senet*

**Rafiq Tagi**, *Senet*

IMPRISONED: November 15, 2006

Editor-in-Chief Sadagatoglu and reporter Tagi of the independent newspaper *Senet* were convicted of inciting religious hatred. Sadagatoglu was sentenced to four years in prison; Tagi to three. The convictions were linked to a November 2006 article headlined "Europe and Us." Tagi, the author, suggested that Islamic values were blocking development in the oil-rich Caspian Sea nation, according to international media reports. The article referred to Islam as a cause of infighting.

Tagi and Sadagotoglu received death threats from Islamic hard-liners in Azerbaijan and neighboring Iran. Grand Ayatollah Mohammed Fazel Lankarani, one of Iran's most senior clerics, issued a fatwa in November 2006 and attended the journalists' trial in April 2007. A group of 40 activists openly threatened Tagi and Sadagatoglu, and harassed journalists covering the trial, the Moscow-based media watchdog Center for Journalism in Extreme Situations reported. An appeals court upheld the verdicts in July.

**Faramaz Novruzoglu**, *Nota Bene*

IMPRISONED: January 30, 2007

Reporter Faramaz Novruzoglu of the weekly independent newspaper *Nota Bene* was sentenced to two years in prison for criminal defamation, according to local press reports. Novruzoglu was tried without a lawyer in proceedings that took place earlier than announced, Ilham Tumas, founder of *Nota Bene*, told the news Web site *Mediaforum*.

Interior Minister Ramil Usubov filed suit after *Nota Bene* published a series of articles critical of him and other senior government officials in December 2006, according to the independent Turan news agency. The articles focused on friction and corruption in the Interior Ministry.

Local journalists and human rights activists told CPJ that the lawsuits were an attempt to stifle critical coverage of the Interior Ministry in the aftermath of a former ministry official's trial on murder and kidnapping charges.

Novruzoglu has also been identified in press reports as Faramaz Allahverdiyev. On April 13, 2007, an appeals court decision upheld the conviction.

The journalist's wife, Tahira Allahverdiyeva, told the Baku-based Institute for Reporters' Freedom and Safety that Novruzoglu's health had deteriorated in prison and that he suffered from a chronic intestinal ailment.

**Eynulla Fatullayev**, *Realny Azerbaijan* and *Gündalik Azarbaycan*  
IMPRISONED: April 20, 2007

Authorities targeted Fatullayev, editor of the independent Russian-language weekly *Realny Azerbaijan* and the Azeri-language daily *Gündalik Azarbaycan*, in a series of politically motivated criminal prosecutions. The persecution began shortly after Fatullayev published an in-depth report alleging an official cover-up in the 2005 slaying of fellow Azerbaijani editor Elmar Huseynov.

In April, a Yasamal District Court judge found Fatullayev guilty of libeling and insulting Azerbaijanis in an Internet posting that the journalist said was falsely attributed to him. The posting, published on several Web sites, said Azerbaijanis bore some responsibility for the 1992 killings of residents of the restive Nagorno-Karabakh region, according to local press reports. Fatullayev, ordered to serve 30 months, was jailed immediately after the proceedings, according to the independent news agency Turan.

With Fatullayev jailed, authorities evicted *Realny Azerbaijan* and *Gündalik Azarbaycan* from their Baku offices, citing purported fire safety and building code violations. Both later stopped publishing.

More charges against Fatullayev followed. A judge in the Azerbaijani Court of Serious Crimes found Fatullayev guilty of terrorism, incitement to ethnic hatred, and tax evasion on October 30. The journalist was sentenced to eight years and six months in prison, to be served consecutive to the 30-month term.

The terrorist and incitement charges stemmed from a *Realny Azerbaijan* commentary headlined "The Aliyevs Go to War," which sharply criticized President Ilham Aliyev's foreign policy regarding Iran. The tax evasion charge alleged that Fatullayev had concealed income from the two publications.

*Realny Azerbaijan* was successor to the opposition weekly *Monitor*, which closed after the March 2005 assassination of Huseynov. Like its predecessor, *Realny Azerbaijan* was known for its critical reporting.

**Rovshan Kebirli**, *Muharifet*  
**Yashar Agazadeh**, *Muharifet*  
IMPRISONED: May 16, 2007

A Yasamal District Court judge found Editor-in-Chief Kebirli and reporter Agazadeh of the Baku-based opposition daily guilty of defaming President Ilham Aliyev's uncle, Jalal Aliyev, and sentenced each to 30 months in prison, according to local and international press reports. Jalal Aliyev is also a member of Azerbaijan's parliament.

Jalal Aliyev filed a libel complaint against the journalists after a February article in *Muhalifet* criticized his business activities and those of his family, according to local and international press reports. The story, which relied partly on a Turkish news report, said the Aliyevs' import-export business profited from the family's political connections.

Kebirli and Agazadeh were being held in the Bailov Prison in Baku, the news Web site *Day* reported.

**Nazim Guliyev, *Ideal***

IMPRISONED: November 6, 2007

Guliyev, editor-in-chief of the pro-government daily *Ideal*, was sentenced to two and a half years in prison on criminal defamation and insult charges.

Ramiz Zeynalov, head of the Interior Ministry Traffic Police Department, filed a complaint against Guliyev after *Ideal* published two articles describing alleged corruption in the department in May and August, according to local press reports. Guliyev did not have a defense lawyer during the trial, according to Emin Huseynov, director of the Baku-based Institute for Reporters' Freedom and Safety.

**Genimet Zakhidov, *Azadlyg***

IMPRISONED: November 10, 2007

A Yasamal District Court judge placed Zakhidov, editor of the opposition daily, in pretrial detention in Baku, a day after the journalist's arrest. Police arrested Zakhidov after nine hours of interrogation and charged him with "hooliganism" and inflicting "minor bodily harm." The arrest stemmed from a confrontation in which the journalist appeared to have been set up by authorities.

On November 7, Zakhidov said, a young man and woman assailed him on a street in Baku. Zakhidov told reporters that the woman started screaming as if he had insulted her; a moment later, the man tried to attack him. With the help of passersby, Zakhidov said, he was able to fend them off. But the man and woman later filed complaints with police, and Zakhidov was summoned for questioning three days later.

Zakhidov was targeted in two other instances of official harassment. In September, Minister of Economic Development Geidar Babayev filed a defamation lawsuit over an *Azadlyg* article alleging misuse of ministry funds. In October, a state traffic police official filed a similar complaint over an article describing alleged corruption. Zakhidov's brother, prominent reporter and satirist Sakit Zakhidov, was also serving a prison term on a bogus charge of drug possession.

## **IRAQ (1 in U.S. custody)**

**Bilal Hussein, The Associated Press**

IMPRISONED: April 12, 2006

Hussein, an Iraqi photographer for The Associated Press, was taken into custody by U.S. forces in Ramadi, capital of Iraq's Anbar province, for "imperative reasons of security" on April 12, 2006, and held without charge or the disclosure of evidence of a crime.

The U.S. military alleged that Hussein had ties to insurgents. "He has close relationships with persons known to be responsible for kidnappings, smuggling, improvised explosive attacks, and other attacks on coalition forces," according to a May 7, 2006, e-mail from Maj. Gen. John Gardner to AP International Editor John Daniszewski.

The military claimed Hussein's photographs showed he had prior knowledge of insurgent attacks, allowing him to arrive at scenes of violence before they occurred. Kathleen Carroll, executive editor of the AP, said the news organization reviewed 900 images taken by Hussein and found no evidence that he arrived before attacks took place.

According to the AP, the most specific allegation cited by U.S. officials—that Hussein was involved in the Iraqi insurgent kidnapping of two Arab journalists in Ramadi—was discredited after the AP investigated the claim. The two abducted journalists had not implicated Hussein in the kidnapping; they had instead praised him for his assistance when they were released. The military's only evidence supporting its claim appeared to be images of the released journalists that were found in Hussein's camera, the AP said. Hussein's attorney, Paul Gardephe, said the military later acknowledged that it did not possess evidence supporting the allegation, the AP reported.

In December 2007, the U.S. military referred the case to the Iraqi justice system for possible prosecution. The military cited alleged links between Hussein and Iraqi insurgents but continued to disclose no evidence to support the accusation.

Hussein shared a 2005 Pulitzer Prize with other AP photographers for their work in Iraq.

## **RUSSIA: 3**

**Boris Stomakhin**, *Radikalnaya Politika*

IMPRISONED: March 22, 2006

Stomakhin, editor of the monthly newspaper *Radikalnaya Politika* (Radical Politics), was jailed on March 22, 2006, on charges of inciting ethnic hatred and making public appeals for extremist activity. The Butyrsky District Court in Moscow sentenced him to five years in prison in November 2006. He and his family said authorities were punishing him for his harsh criticism of Kremlin policy in Chechnya.

In his ruling, Judge Lyubov Ishmuratova said Stomakhin's articles "approved Chechen terrorists' criminal actions aimed at annihilation of Russian people as an ethnicity." The ruling quoted Stomakhin as writing: "Let tens of new Chechen snipers take their positions in the mountain ridges and the city ruins and let hundreds, thousands of aggressors fall under righteous bullets!"

No mercy! Death to the Russian occupiers! ... The Chechens have the full moral right to bomb everything they want in Russia.”

Stomakhin, who had pleaded not guilty, said he was “tried for his views and not for any real crime. ... In the articles, I expressed my opinion, with which people were free to agree or disagree,” the news agency RIA-Novosti reported. He said an opinion was not a “call to action.”

Police arrested Stomakhin in March 2006, a day after he fell from the window of his fourth-floor Moscow apartment while trying to elude police, according to local press reports. Stomakhin suffered leg and back injuries.

In May 2007 the Moscow City Court reviewed Stomakhin’s appeal for early release but left the verdict unchanged, the independent news agency *Kavkazky Uzel* reported. On June 25, 2007, Stomakhin was transferred from a Moscow prison to a prison in the city of Nizhny Novgorod. Officials did not tell Stomakhin, his family, or defense counsel what prompted the transfer or how long it would last, local press reports said. Stomakhin uses a cane to walk because of injuries suffered in the 2006 fall, his lawyer, Karen Nersisian, told CPJ.

**Anatoly Sardayev, *Mordoviya Segodnya***  
IMPRISONED: June 29, 2007

On June 29, 2007, the Lenin District Court in Saransk found Sardayev, editor of the independent weekly *Mordoviya Segodnya*, guilty of embezzling money and misusing funds as head of the Mordoviya postal service in 2004. He was sentenced to five and a half years in prison and fined 105,000 rubles (US\$4,100). Sardayev was taken into custody immediately after the court hearing.

Sardayev’s colleagues believe he was targeted because of *Mordoviya Segodnya*’s continuing criticism of local governor Nikolai Merkushkin. The Moscow-based Center for Journalism in Extreme Situations (CJES) detailed conflict between Sardayev and Merkushkin dating to 2004.

Sardayev, a member of the Mordoviya parliament at the time, irritated local authorities that year by making repeated inquiries into the legal basis for tax breaks given to Mordoviya energy companies. The same year, the Lenin District Prosecutor’s Office in Saransk opened a criminal case against Sardayev on what they said was his abuse of authority, forgery, appropriation, and squandering of funds. About six months later, Saransk prosecutors imprisoned Sardayev for a week for allegedly failing to appear in court. The detention came just as Sardayev was working on a *Mordoviya Segodnya* edition that detailed a list of businesses owned by Merkushkin and his family, according to local press reports.

In the 2007 case, Mordoviya postal employees testified that Sardayev had used postal service money to build a public tennis court and to restore an old post office building in Saransk, CJES correspondent Igor Telin reported.

**Nikolai Andrushchenko, *Novy Peterburg***  
IMPRISONED: November 23, 2007

Police in St. Petersburg arrested Andrushchenko, co-founder and editor of the weekly *Novy Peterburg*, on suspicion of defamation. The next day, a local court placed him in pretrial detention on charges of defamation and obstruction of justice. The combined charges carried up to six years in prison.

Authorities claimed the charges stemmed from Andrushchenko's 2006 coverage of a murder investigation in St. Petersburg. However, colleagues said they believe Andrushchenko's imprisonment was the result of *Novy Peterburg's* critical coverage of local authorities and its pro-opposition articles.

Local authorities had repeatedly harassed the 64-year-old Andrushchenko, the paper's co-founder, Alevtina Ageyeva, told CPJ. Andrushchenko was beaten by unknown assailants on his way home on November 9. Copies of the November 15 edition of *Novy Peterburg*, which carried an article about a dissenters' march and a critical story about St. Petersburg's police chief, were bought out wholesale; the company in charge of distributing the paper refused to supply newsstands with more. A week later, the newspaper's printing house refused to print the next edition, which carried a front-page article by opposition leader Garry Kasparov.

On November 23, St. Petersburg police officers raided the *Novy Peterburg* newsroom and copied computer files, saying that Andrushchenko was suspected of defaming officials. The same day, officers of the St. Petersburg's Directorate for Combating Organized Crime raided Andrushchenko's house and placed him under arrest, according to local press reports.

## **U.S. NAVAL BASE, GUANTANAMO BAY: 1**

**Sami Muhyideen al-Haj, Al-Jazeera**  
IMPRISONED: December 15, 2001

Al-Haj, a Sudanese national and assistant cameraman for Al-Jazeera, was detained by Pakistani forces after he and an Al-Jazeera reporter attempted to re-enter southern Afghanistan at the Chaman border crossing in Pakistan. About a month later, he was handed over to U.S. forces and eventually sent to the U.S. Naval Base at Guantánamo Bay, Cuba, in June 2002.

According to declassified U.S. military documents, al-Haj was accused of being a financial courier for Chechen rebels and assisting al-Qaeda and extremist figures. But al-Haj has not been convicted or charged with a crime, and the military has not publicly disclosed any evidence against him.

Al-Haj's London-based lawyer, Clive Stafford Smith, maintained that his client's continued detention was political. He said U.S. interrogators have not focused on al-Haj's alleged activities

but instead on obtaining intelligence on Al-Jazeera and its staff. U.S. military interrogators allegedly told al-Haj that he would be released if he agreed to inform U.S. intelligence authorities about the satellite news network's activities, Stafford Smith said. Al-Haj refused.

During an Administrative Review Board hearing in September 2007, U.S. military authorities cited the cameraman's Al-Jazeera training as evidence of terrorist involvement, according to Stafford Smith. The lawyer, who is barred from attending such proceedings, based his comments on a review of the hearing transcript. The military hearings determine whether a prisoner should continue to be held.

CPJ outlined the al-Haj case in a 2006 special report titled "The Enemy?" The report urged the U.S. government to provide fair and transparent due process.

## **UZBEKISTAN: 5**

**Muhammad Bekjanov, *Erk***

**Yusuf Ruzimuradov, *Erk***

Imprisoned: March 15, 1999

A court in the capital, Tashkent, sentenced Bekjanov, editor of the opposition newspaper *Erk*, to 14 years in prison and Ruzimuradov, an employee of the paper, to 15 years. They were convicted of publishing and distributing a banned newspaper that criticized President Islam Karimov, participating in a banned political protest, and attempting to overthrow the regime.

Both men were tortured during their pretrial detention in Tashkent City Prison, which left them with serious injuries, Tashkent-based human right activists told CPJ. On November 15, 1999, Bekjanov was transferred to "strict regime" Penal Colony 64/46 in the city of Navoi. Ruzimuradov was transferred to "strict regime" Penal Colony 64/33 in the village of Shakhali near the southern city of Karshi.

The wives and children of both men fled to the United States in 1999 after their arrests, Erk Party Secretary-General Aranazar Arifov told CPJ.

In 2003, reporters with the London-based Institute for War and Peace Reporting and The Associated Press interviewed Bekjanov in the Tashkent Prison Hospital while he was being treated for tuberculosis contracted in prison. In the interview, Bekjanov described torture and beatings that resulted in a broken leg and hearing loss in his right ear, IWPR reported.

In 2007, Bekjanov was jailed in the southwestern city of Kasan, according to the independent news Web site *Uznews*. His wife, Nina Bekjanova, who was allowed to visit him in October 2006, said he told her that he was still subjected to beatings and torture that, among other things, caused him to lose most of his teeth, *Uznews* reported.

Exiled journalists, human rights workers, and other CPJ sources said they did not know of Ruzimuradov's whereabouts or his health.

**Gayrat Mehliboyev**, freelance  
IMPRISONED: July 24, 2002

Police arrested Mehliboyev at a bazaar in Tashkent for allegedly participating in a rally in support of the banned Islamist opposition party Hizb ut-Tahrir. Following the arrest, police searched his bed in a local hostel and claimed they found banned religious literature that prosecutors later characterized as extremist in nature, according to international press reports.

Prior to his February 2003 trial, Mehliboyev was held in pretrial detention for more than six months. As evidence for his alleged participation in a religious extremist group, prosecutors presented political commentary Mehliboyev had written for the April 11, 2001, edition of the state-run weekly newspaper *Hurriyat*. Arguing that religion was the true path to achieving social justice, the article questioned whether Western democracy should be implemented in Uzbekistan. Prosecutors claimed the article contained ideas from Hizb ut-Tahrir.

At the proceedings, Mehliboyev openly stated several times he was beaten in custody but the court ignored his comments, a Tashkent-based representative of Human Rights Watch told CPJ. Mehliboyev's brother, Shavkat, said the defendant was forced to confess to having connections to Hizb ut-Tahrir.

On February 18, 2003, the Shaikhantaur District Court in Tashkent sentenced Mehliboyev to seven years in prison, convicting him of anticonstitutional activities, participating in extremist religious organizations, and inciting religious hatred, according to local and international press reports. The sentence was later reduced on appeal to six and a half years in prison.

**Ortikali Namazov**, *Pop Tongi* and *Kishlok Khayoti*  
IMPRISONED: August 11, 2004

Namangan regional authorities in eastern Uzbekistan charged Namazov, editor of the state newspaper *Pop Tongi* and correspondent for the state newspaper *Kishlok Khayoti*, with embezzlement after he wrote a series of articles about alleged abuses in local tax inspections and collective-farm management.

His trial began on August 4, 2004, and lasted two weeks. On August 11, 2004, before the verdict was reached, authorities took him into custody. Five days later, the Turakurgan District Criminal Court in Namangan region convicted Namazov and sentenced him to five and a half years in prison. Namazov complained the judge was biased and did not allow him to defend himself.

Prior to her own imprisonment in 2005, local human rights activist Mutabar Tadjibaeva monitored Namazov's trial. She told CPJ that local authorities harassed Namazov's family during the trial, cutting his home telephone line, and firing his daughter from her job as a school doctor. Namazov was serving his sentence at a prison in eastern Namangan.

**Dzhamshid Karimov**, freelance  
IMPRISONED: September 12, 2006

Karimov, nephew of President Islam Karimov, disappeared in his native city of Jizzakh only to be discovered in a psychiatric hospital in Samarkand, where he had been involuntarily placed by the Uzbek authorities. Government officials did not release any information about court proceedings that led to the committal, and they did not permit independent experts to examine Karimov, according to press reports.

Karimov had worked for the London-based Institute for War and Peace Reporting and later contributed to a number of independent newspapers and online publications, including the Almaty-based news Web site *Liter*. According to CPJ research, Karimov criticized both local and federal authorities in his coverage of Uzbek social and economic problems.

Prior to his arrest, local authorities closely monitored his activities. After his mother petitioned authorities to remove all listening devices from her house, law enforcement agents set up surveillance equipment in a neighboring building in August 2006, the Moscow-based news Web site *Ferghana* reported. The same month, Karimov's passport was seized by authorities in Jizzakh after he applied for an exit visa to attend a journalism seminar in neighboring Kyrgyzstan.