

Baku Muzzles Outspoken Editor

Wary of jeopardising their attempts to join the Council of Europe, the Baku authorities employ "civilised" means to try to silence one of their staunchest critics.

The editor of a popular Azerbaijani magazine, well known for its stinging anti-government criticism, is claiming the authorities have made a concerted bid to force him out of business.

Elmar Husseinov says his magazine, *Monitor Weekly*, which has been in circulation for just two months, has faced sustained pressure from the authorities, culminating in a fine he is unable to pay.

The magazine took up the anti-regime gauntlet from an earlier Husseinov venture - *Monitor* - a monthly political magazine, which hit the news-stands in August 1996. Printed overseas, this publication managed to avoid the busy scissors of the censor, still active in Azerbaijan at the time. But in February 1998 the authorities finally lost patience and confiscated copies from state and private newsstands across Baku.

Husseinov was charged with defaming the entire Azerbaijani population and a hefty fine was slapped on the magazine, forcing *Monitor* to close.

Earlier this year, however, Husseinov decided he could "no longer remain silent" and launched the new venture, *Monitor Weekly*.

Monitor Weekly's articles were exceptionally courageous and incisive in their criticism of the status quo. The publication quickly became a hit with readers. One distributor, *Gaya*, estimates circulation tripled in the first quarter of 2000.

Outraged deputies in the Baku parliament were soon calling for the magazine to be stripped of its publishing licence. Dzhafar Aliev, brother of Azerbaijani President Heidar Aliev, even dubbed the magazine "fascist".

Two deputies, Zakhid Garalov and Maxim Musaev, have called for legislation reinstating "state control over the press". Both complained that the ending of government censorship had ushered in an era of virtual anarchy.

But Madat Mamedov, a senior official at the Ministry of Print and Information, dismissed such calls. "Just days ago parliament agreed to adopt an important document from the Council of Europe. Both Garalov and Musaev voted for its acceptance," Mamedov said. "Democracy is not chaos. Now that censorship has been relaxed, the conscience of the journalists themselves should be the main control over the press. And any thorny questions should be decided in a court of law."

Crude tactics such as confiscating the magazine from newsstands are no longer an option for a government keen to join the Council of Europe. More "civilised" means had to be found to silence *Monitor Weekly*.

In early April, officials from the ministry of justice appeared at the magazine's office to insist that the editors observe the court ruling imposed on *Monitor* in 1998.

Husseinov tried in vain to prove Monitor Weekly was a different publication, with its own founders, periodicity and licence. Nevertheless the justice officials insisted Monitor Weekly print a disclaimer against Husseinov's offending article - The Azerbaijani Nation in the 21st Century - published two years earlier in Monitor.

Spokesman for the justice ministry, Ali Mamedov, said the courts in 1998 had ruled Husseinov should apologise for publishing misleading statements on the Azerbaijani people and to date he had failed to do so, "We remain unconvinced by excuses such as, 'Monitor and Monitor Weekly are two different magazines.' If Elmar Husseinov does not agree with the decision of the Baku City Court, he has the right to lodge an appeal with a higher legal body. It is our business to ensure court decisions are complied with."

Husseinov duly printed a letter from the Ministry of Justice, which included the disclaimer. Unsatisfied with this attempted compromise, the ministry demanded Husseinov publish the disclaimer again, in a form dictated by the ministry.

In the next issue Husseinov printed the disclaimer word for word, but added his own editorial note:

"I understand perfectly that their [the Ministry of Justice] goal is to humiliate me as much as possible. The ministry was counting on my refusing to accede to their demands, thereby giving them an excuse to close down Monitor Weekly. It goes without saying that, in sending this warning, the Ministry of Justice is carrying out the wishes of the political elite, which is unhappy that Monitor Weekly is published at all. I disagree completely with the text of the published disclaimer. It is a direct infringement of the Azerbaijani Constitution and forces me to betray my own convictions."

Pressure on Monitor Weekly has not been confined, however, to the actions of the justice ministry. Officials from the new tax ministry have also been knocking on the magazine's door. Only months after a routine tax assessment, officials from the ministry demanded a second assessment from Monitor Weekly and its publisher, the Centre of Geo-economical Research.

In the course of this second assessment Monitor Weekly was found to have infringed local tax laws and was accused of operating without a license for two months. The publication was fined 100 million mantas (around \$23,000). The magazine's entire turnover for this period was only 160 million.

Arzu Nasirov, the ministry's chief tax inspector, said the fine was against Husseinov and not Monitor Weekly. The sanctions related to the period September to December 1999 when Husseinov published the newspaper Bakinsky Bulvar without a licence.

Tax inspectors also sealed off the Baku Printing Press where the magazine is printed provoking a storm of protest. The inspectors finally acknowledged the move was illegal and allowed the printers back to work.

Husseinov claims the tax inspection was riddled with irregularities and that the resultant fine will force the magazine out of business. He hopes to print the next edition at another printing press but says this will probably be the last issue of Monitor Weekly.

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