

AZERBAIJAN*

I. BACKGROUND (Dr. Anna Matveeva)

I.1. Historical and political background

Azerbaijan is a seven-million-people country, with substantial ethnic minorities. Like in Armenia, the conflict around the ethnic Armenian enclave of Nagorno-Karabakh has decisively shaped society and politics. One 'lesson' the Azeris learned for themselves from the bloody conflict is that autonomy is the quickest road to secession. As a consequence, they have been much more cautious in dealing with ethnic minorities and more reluctant to make too many concessions.

During the reforms of the late Gorbachev era and especially in response to the developments in Nagorno-Karabakh and in Armenia a nationalist movement, the Popular Front (PF), emerged in Azerbaijan. The PF, however, founded by a group of intellectuals mainly connected through personal ties and never very deeply rooted within the society has been much weaker than its Armenian counterpart.

After persecution and massive expulsion of ethnic Azeris from Armenian territory, Azeris retaliated and anti-Armenian pogroms took place in Baku and Sumqayit. When Soviet troops intervened, shooting indiscriminately at people in the streets and incapable of handling the conflict, the PF became increasingly pro-independence. Ill-prepared for statehood, Azerbaijan saw three leaders succeed each other within just 6 months after gaining independence in 1991. The main factors contributing to the volatile state of political affairs were early ethnic conflicts and the question of regional autonomy, but also the ongoing tensions with Moscow. The Nagorno-Karabakh conflict in particular was detrimental to Azeri national pride. Every time a new leader came to power, Azeri troops launched a new attack with terrible losses, and every time they were defeated someone had to be blamed.

The search for internal enemies soon led to suspicion of the small ethnic minorities of the Lezgin (at the border to Russia) and the Talysh (at the border to Iran). Both groups, in spite of forming their own national organisations never threatened the territorial integrity of

* The reports on the Caucasus country presentations are mainly based on the independent expert's assessment of the political and human rights situation in the respective countries; UNHCR's position is reflected in *the UNHCR Background Papers on Refugees and Asylum Seekers from Armenia, Azerbaijan and Georgia* of October 1999, which are attached in the Annex.

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Azerbaijan. That, however, did not save them from becoming welcome targets for harassment and persecution. At the same time it tried to increase internal coherence, the Azeri administration sought to distance itself further from Russia and initiated a rapprochement with Turkey. Because of the many social and cultural links between the two countries Turkey was supposed to breathe new life into the politics of Azerbaijan. Although it lent crucial support to Azerbaijan through a blockade of the Armenian border in the South, both national and international strategies did not really help to strengthen the Azeri government's position in any significant manner.

Abdulfaz Elchibey, elected president in 1992, could neither stabilise the political situation nor improve the devastatingly poor economic conditions. After repeated attempts by the government to put army generals in their place they staged a coup - again with no coherent agenda - that was successful mainly because the PF-based government had been so weak. The ex-KGB general and former First Secretary of the Communist Party (CP), Haidar Aliyev, was brought to power because he already had gained experience in governing a country. Interestingly, Elchibey and Aliyev both come from Nachitchevan, the Azeri region separated from Azerbaijan by Armenian territory, which serves as a breeding ground for Azeri politicians.

Aliyev is said to be ruling the country in a Soviet fashion and he brought back to key positions many people who had already served under the old Soviet regime. Under his rule, the political turmoil has by and large ended and the administration has regained its ability to govern the country and distribute basic goods and services. Tensions around minority and nationality issues also started to recede and relations with the regions have improved. In the aftermath of the coup there have been, however, major setbacks for Azerbaijan's democratisation process.

First of all, in the years 1994 to 1996, the new regime took every measure from prohibiting opposition parties in 1995 to systematically arresting critics and expelling them from the country under charge of trying to promote separatism to get rid of political opponents. Most politicians that are still on the scene do have a background either in the old Soviet regime, or the Popular Front. For ethnic groups, the record is mixed, i.e. although they were persistently denied political rights, they were granted protection of their language and cultural traditions. In addition, the elections of 1995, where the vast majority of political parties were either prohibited or boycotted participation, were considered to be 'not free, and not fair' by international observers.

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Three years later, under pressure of Western governments and transnational enterprises which have a pronounced interest in the oil fields of the Caspian Sea, there is no systematic censorship anymore, and alternative political forces gradually re-emerge. Furthermore, like Armenia, Azerbaijan is seeking membership in the Council of Europe and therefore aims at improving its human rights record. Most encouragingly, and despite strong criticism that the president was selling out, meetings have also taken place in Washington, Ukraine, and Istanbul in an attempt to get closer to a solution for Nagorno-Karabakh. The issue is still extremely sensitive and both Armenian President Kocharian and Azeri President Aliyev are careful not to upset the national opposition too much. At the same time, Aliyev has not loosened his iron grip on critics and forced his top adviser and the minister for foreign affairs to resign. Most recently, on 27 April 2000, a rally in Baku organised by the opposition coalition Democratic Congress (DC) was dispersed by force, with many participants getting injured and 46 demonstrators being arrested.

I.2. Recent developments

The 1998 elections were evidence of a trend towards more democracy. Especially due to Western criticism of Azerbaijan some of the worst features of political oppression have disappeared. In spite of harassment of voters and candidates, the electoral campaigns sent out the message that there is a serious alternative to the current leaders and that voters do have a choice. In addition, President Aliyev issued amnesties for those political prisoners who had been convicted to longer sentences. It has to be said, though, that for the leading activists who were mostly no longer young, even one year in prison already meant very serious punishment.

All in all, the elections which brought President Aliyev - the 'hero' of the rural and small-town people - a 70%-victory, were marked by considerable irregularities. And despite the abolition of legal restraints on the freedom of expression there is considerable harassment of journalists and editors, and closing down of newspapers occurs. Many political opponents are still detained in a high-security jail near Baku and in order to preclude the possibility of flight to neighbouring countries, the Azeri government has signed extradition treaties with Russia and Iran. In fact, most people who were politically active were arrested or fled, and those who stayed do not dare to speak up anymore. The situation is better for those who fled to Russia since the Russian authorities have so far refused to deport Azeris prosecuted for political reasons on grounds that the crimes for which extradition had been requested were not a crime according to Russian law.

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Azerbaijan's future remains uncertain. As long as President Aliyev is alive the system is expected to remain stable. He eliminated, however, all serious political contenders, and did not take any steps to build up a successor. According to outside observers, not even Aliyev's own son, who is first vice president of the largest - state-owned - oil company in the country, seems to be a viable option. Given that no successor is in sight, it can only be speculated where a suitable person could be found. The Karabakh-issue might present the perfect launching pad for an eventual new-comer to build up his reputation and eventually outdo his competitors. In any case, because of the weakness of national institutions and the extraordinary concentration of power in the hands of a few key individuals, there will be much infighting and the political disintegration is likely to increase after the current president's death. Most post-Aliyev scenarios are quite pessimistic. A continued crisis in the North Caucasian provinces of the Russian Federation and the resulting increased influence of Islamic fighters and influx of refugees would provide further fuel for internal conflicts.

So far, however, only a small number of Chechens have fled to Azerbaijan. Yet, there are an estimated 600.000 internally displaced persons from other ethnic conflicts and further 180.000 refugees from Armenia on Azeri territory. Many of them still live in tents and provisional camps and are dependent on international assistance. Contrary to Armenia, where refugees of Armenian 'nationality' have the choice to become citizens, ethnic Azeris from Azerbaijan are by law declared citizens of Azerbaijan. According to Article 5 of the 1998 law on refugees also includes the approximately 45.000 Meskhetian Turks currently residing in Azerbaijan. In 1944 Meskhetian Turks, who originally lived in Georgia, were deported to the Central Asian republics. After 1992, especially following the massive violence in Uzbekistan's Fergana Valley, they had to leave their homes for a second time. Now they are scattered all over the CIS countries, with many of them finally having ended up in Azerbaijan but some still intent on returning to Georgia.

There is a significant number of Azeris (1.4 mio.), many of whom arrived in the years after 1989, living on the territory of the Russian Federation. Economically they are of great importance to Azerbaijan, transferring more than US\$ 1 mio. every year to their native country. Especially since the war in Chechnya and due to rising anti-Caucasian sentiment Russia has been stepping up pressure on the Azeri government to take them back and plans exist to reintroduce visa for Azerbaijan and Georgia. Therefore, there is a certain likelihood that Azeris trying their luck in Western countries will increase.

II. SPECIFIC GROUPS AT RISK (Dr. Anna Matveeva)

Ethnic minorities

For some ethnic groups targeted in the period immediately after gaining independence, like the Talysh or the Lezgin, harassment and discrimination have subsided, although persecution of individuals who try to promote political rights for their respective groups is still very likely. Most ethnic minorities, however, including Kurds and Jews - the vast majority of whom have left the country for economic reasons - are safe from persecution.

The only group victimised because of its ethnicity are persons of mixed Armenian ethnic origin and mixed Azeri-Armenian couples. These people - estimates range from 10.000 (Western embassies) to 40.000 (Azeri government) - certainly represent the single most vulnerable group in Azerbaijan. They face discrimination and harassment at every level, be it health and education, or be it the labour and housing market. In many cases even pensions are withheld to elderly people of Armenian ethnicity who were born and spent their whole lives in Azerbaijan. Very similar to the situation of Azeris and mixed couples in Armenia, those who stayed are trying to keep a low profile, many of them changing their names and living in hiding. There is no legally sanctioned persecution of mixed Armenians and mixed couples but also no protection whatsoever from the police or judiciary and often local officials themselves participate in harassment and discriminatory acts. NGOs that attempted to help the victims of discrimination have stopped their efforts after receiving death threats from anonymous sources.

Political activists

In the past many politically active groups have been severely repressed. More recently, though, there have been very few reports of threats and harassment of political activists and many of those arrested earlier for political reasons were set free. Nevertheless, this should not be taken as evidence that critics of the government are free to act and speak as they like. Rather, it is a consequence of the massive repression of political opponents in the past, which robbed Azerbaijan of its most influential political leaders and left those who remained active intimidated and extremely cautious. President Aliyev's goal is still to eliminate all opposition, be it by arresting and threatening or by otherwise politically paralysing critics.

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Furthermore, the current regime is evidently not content with having control over a potential political threat on its territory, but, as mentioned above, has also made repeated attempts, i.e. through extradition requests, to get those back who managed to flee to other countries.