

Testimony of H.E. Yashar Aliyev
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United States

Commission on Security and Cooperation in Europe
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Human Rights and Democratization in Azerbaijan

Mr. Chairman, Members of the Commission:

Thank you for the opportunity to address this distinguished Commission on two priorities for my country: human rights and democratization. We made our decision 17 years ago, upon regaining our independence, to pursue policies of a pro-Western, democratic country with a free market economy.

We are a secular country with a predominantly Muslim population, where you can find our citizens attending Catholic Church, a synagogue and a mosque within blocks of each other in Baku. Freedom of religion is guaranteed by our Constitution. We are immensely proud of our long history of religious tolerance. Azerbaijan has vibrant Muslim, Jewish and Christian communities. We are indeed a melting pot of cultures, religions, traditions and ideas. Just this past March, for example, Vatican Secretary of State Cardinal Bertoni visited Azerbaijan where he reopened a Catholic Church in downtown Baku that had been closed for decades under communist rule.

Located at the crossroads of two great continents, Europe and Asia, we have always encouraged diversity and have been a bridge between cultures. We are situated in an important region of challenging political dynamics, with Russia to the north, Iran to the south, Armenia and Georgia to the west, and our backs against the Caspian Sea.

I am honored to have served for almost two years as Ambassador to the United States and to have observed your own democracy in action during a critical period in America's history as you approach a presidential election. I have had the opportunity to watch first-hand your own presidential election process. I have learned how unique to the domestic culture and realities democracy really is.

Understanding the challenges of building a new democracy, I appreciate former Congressman and Chairman Vin Weber's opening statement about the United States in the recent 2007 annual report of the National Endowment for Democracy. He said about the United States, and I quote, "In our country, with its long tradition of self-government, we tend to forget how difficult democracy is to create and sustain."

As you know, Azerbaijan has emerged from the turbulent years following the dissolution of the Soviet Union to become a strong friend and ally of the United States, and to the international community as a whole. The country is a member of the United Nations, the Organization for Security and Cooperation in Europe and the Council of Europe. It is on a path toward World Trade Organization membership and is an active participant in NATO's Partnership for Peace.

As both a producing and transit country for Caspian oil and gas, Azerbaijan has become a major player in ensuring energy security to Europe and the West. In fact, just last week, Georgian President Mikhail Saakashvili stated without ambiguity that Azerbaijan is a key guarantor of his country's independence by providing much-needed energy supplies.

Azerbaijan is also a staunch ally of the U.S. and international partners in security operations in Afghanistan and Iraq. Not only does Azerbaijan provide troops to NATO and Coalition forces in these countries, it also has granted permission for U.S. airplanes to use Azerbaijan's vital airspace for U.S. military operations in Afghanistan.

Of course, as you are well aware, Azerbaijan faces grave problems concerning the Armenia – Azerbaijan conflict, which continues to result in the illegal occupation by Armenian military forces of some 20 percent of Azerbaijan's territory. Azerbaijan's territorial integrity has been affirmed and reaffirmed numerous times in past years by the United States government. It has also been reaffirmed no fewer than five times by the United Nations, the most recent of which took place on March 14 of this year with a resolution calling for the "immediate, complete, and unconditional" withdrawal of Armenian forces from occupied Azerbaijani lands.

This conflict has many ramifications, the most pressing of which is the continued displacement of up to one million Azerbaijanis from their homelands. In resolution 1614 just this past June 24, the Parliamentary Assembly of the Council of Europe this year stated that, and I quote, "The Assembly considers that sustainable democratic development will be extremely difficult in Azerbaijan as long as the country's territorial integrity has not been restored."

We seek input from you, the Helsinki Commission, and other respected members of the international community to help us solve this issue without delay. Indeed, when we address the issue of human rights in Azerbaijan, we must begin by restoring the human rights of almost one million refugees and displaced persons who, as we sit here today, are deprived of their right to live in peace and happiness in their homeland.

It is an honor to appear before you today to provide insight into the Republic of Azerbaijan's advances in democracy and human rights. While no democracy can ever claim to be perfect, we know what we have achieved and that a lot is yet to be done, we know that building democracy is a process that is full of not only roses, and we understand the challenges ahead of us. We welcome your support, the benefit of your experience, your recommendations, and your understanding as we address the many challenges we confront together.

Azerbaijan has taken major steps to establish and enhance democratic institutions:

- Azerbaijan today has a robust media environment with more than 1,000 newspapers and magazines; 7 television stations covering the entire country; an additional 14 local television stations; 11 radio stations; and 30 news agencies; 44 electronic mass media outlets;
- The country has seen a virtual explosion of web sites, blogs and access to the Internet across the country. Internet traffic in Azerbaijan has increased an astonishing 40 percent thus far this year compared to last year. All this, in a country the size of the state of Maine.
- The new Azerbaijan brings with it a new set of needs and higher professional standards of journalism. The United States has been working with Azerbaijan to help improve these standards, and more is needed. I ask the members of this distinguished Commission to consider practical ways in which we can work together to better train a new generation of journalists to meet the professional challenges of the 21st century.
- Azerbaijan enjoys strong political pluralism. There are 52 political parties in the country, 20 of them are currently represented in Milli Mejlis -Parliament.
- In October 2008, Azerbaijan will hold its fifth presidential election in 17 years. It also has conducted three parliamentary elections and two municipal elections. All of these have been held on schedule according to the electoral timetable. All of these were open to international observers, as this year's presidential election will be. 30 long-term and 450 short-term international observers from OSCE will observe the election.
- Improving our electoral practices to meet international standards has been a priority. In this regard, we have instituted and amended the electoral code. Examples include:
 - Implemented the practice of inking voters' fingers
 - Declared election day a non-working day to allow all citizens the opportunity to vote
 - Established that expert groups involved in the complaints and appeals process will be present at constituency commissions
 - Facilitated voting by persons in detention (Amendment 46.9)
 - Reduced the number of required signatures (45,000 to 40,000) for the registration of a Presidential candidate
 - Mandated that election observers be provided identification badges, thereby reducing the number of unauthorized persons in polling stations. (Article 36.6)

- Required verification badges for registered agents of candidates, political parties, and political parties. (Article 72.2)
- Required disclosure of voter addresses in public voter lists (Article 48.1)

Just last month, the Council of Europe's Venice Commission gave a positive assessment of these changes to the election code.

Azerbaijan has created the position of Ombudsman to hear concerns from its citizens and to carry those concerns both to the Government and to the European Court of Human Rights. It is important to note that just this past June 18, Azerbaijan commemorated its first ever National Day of Human Rights.

In our democratic process we understand the importance of facilitating the development of a critical pillar – civil society. Some 3,500 Azerbaijani and international NGOs have been established in the country, providing a welcome pillar to the strengthening of civil society. In December 2007, the State Council for the Support of NGOs was established by Presidential decree. This council seeks to accelerate the further enhancement of civil society in the country. Eight of its members are nominated by NGO community, with the three remaining members nominated by public agencies. On June 13 of this year, the Council announced in the press a competition for NGO projects in 15 areas, including human rights of refugees, women and youth. Submitted projects will be examined by a group of experts and selected by the end of July. This year \$1.5 million will be allocated to these NGO projects.

As far as maintaining the independence of the mass media, a Working Group created by the Azerbaijan Media Council has developed a Concept on State Support to Mass Media. This document helps to define financial assistance for the media, including credit allocation and debt reduction. This measure will soon be submitted to the President for consideration.

The Commission has inquired about the detention of journalists. In accordance with a Presidential Pardon Decree of December 28, 2007, five journalists were released from prison.

A new draft law amending the Law on Freedom of Assembly, currently in force in Azerbaijan, was elaborated in close cooperation with experts from the Council of Europe Venice Commission and OSCE/ODIHR. On December 15, 2007, the Venice Commission provided a final opinion stating that if adopted, they will be in accordance with European standards. The Law with amendments was adopted just two months ago on May 30, 2008 by the Parliament and has been praised by Council of Europe representatives. According to the amendments, organizers have to inform the relevant administrative body about the place and time of the demonstration and also route of the rally 5 days before the demonstration. Freedom of Assembly only can be limited in cases envisaged by the law and for national or public security, preventing crime or disorders, protection of health and morality and rights of other persons.

In the area of increasing transparency and combating corruption, Azerbaijan has achieved the following over the last few years, including:

- Adopted the Law on Combating Corruption on January 13, 2004.
- Secured Presidential approval of the State Program on combating corruption on September 3, 2004.
- The Anti-Corruption Commission started to function at the Public Service Management Board.
- Established Department for Combating Corruption, within the Prosecutor General's Office.
- On June 28, 2007, the President issued the order endorsing the National Strategy on strengthening transparency and combating corruption and the Action Plan for its implementation for 2007-2011.

The National Strategy recommends the following measures:

- Improvement of legislation, law enforcement and courts;
- Closer cooperation with civil society;
- Advancement of anti-corruption culture;
- Enhancement of the anti-corruption work of governmental institutions.

Additionally, Azerbaijan has created a Commission on Combating Corruption, which is part of the State Council on the Management of Civil Service. This Commission functions as a specialized agency on combating corruption. It is comprised of 15 members: five appointed by the President, five by the Parliament and five by the Constitutional Court.

We attach great importance to ensuring women's political and economic rights and providing them with adequate representation at all levels of decision-making process. In March 2000, the President signed the Decree "On Implementation of the National Gender Policy in the Republic of Azerbaijan". For the past years, the number of women in political and decision-making has considerably increased. It is worth mentioning that, Azerbaijani women gained electoral rights long before most developed countries of the world that is, in 1918. Today female parliamentarians represent 11.2% in Parliament.

Three deputy Ministers (of Education, of Economic Development and of Culture), one Chairperson of the State Committee (State Committee for Family, Women and Children Affairs, one Chairperson of the State Commission (State Commission on Admission of Students) are women. Besides, one deputy of the chairman of the National Parliament out of three, Ombudsperson, deputy Prime Minister of Nakhchivan Autonomous Republic and

Ombudsperson of Nakhchivan Autonomous Republic are women. The total percentage of women working in the Ministry of Foreign Affairs of the Republic of Azerbaijan is 19, 4%, from which 5, 1% are women occupying leading positions. Two diplomat women are representing Azerbaijan on the international level (one ambassador and one permanent representative). Nowadays, women are widely represented in business sectors. The number of women engaged in entrepreneurship activities has increased by 6,2% (79147 persons) in 2008.

Azerbaijan, appreciating the importance of intercultural and interreligious dialogue and tolerance, has embarked on a series of important events intended to further this dialogue and to establish future goals and agendas. In 2007, a conference on "The Role of Media in Promoting Tolerance" was held in Azerbaijan, which attracted attendees and observers from 11 international organizations and 49 countries.

Just recently, in June Baku hosted a major forum on the "Role of Women in Intercultural Dialogue" under the auspices of the First Lady of Azerbaijan. Participants included the First Ladies of Latvia, Poland, Angola, South Africa as well as spouses of Vice-President of Argentina, of Prime –Minister of Turkey, the First Lady of the State of Texas. On December 2-3, 2008 Baku will host a Conference of the European Ministers of Culture with representatives from the Council of Europe, Islamic Educational, Scientific and Cultural Organization (ISESCO), and Arab League Educational, Cultural and Scientific Organization (ALECSO), which will focus on the role of intercultural dialogue as a vehicle for peace.

Mr. Chairman,

Azerbaijan welcomes the attention the United States has given to democratic issues in the country and to the South Caucasus as a region. We in the South Caucasus have faced numerous challenges. One neighboring country faced unprecedented post-election violence in which innocent civilians were killed and a ban on independent media was imposed. Another neighboring country enacted martial law and shut down media outlets.

We've all passed through difficult times. But we have all been heartened by the friendship and support of the United States and its people.

Mr. Chairman,

Democracy requires constant nurturing and attention. Its establishment brings many challenges. I am confident that the United States, which has led valiant efforts to bring peace and democracy to volatile regions of the world in recent years, understands these difficulties very well.

Azerbaijan cherishes its friendship with the United States, as I am sure the United States does with us. As friends, we celebrate one another's successes. As friends, we are allowed to disagree from time to time, and to point out one another's shortcomings. And as friends, all that we require is that we treat one another with the same level of fairness that we give to others.

As you are aware, Azerbaijan often suffers from spurious campaigns that deliberately mislead and misinform the American public. As the great American essayist E.B. White famously remarked, and I quote: “Prejudice is a great time saver. You can form opinions without having to get the facts.”

In summary, Mr. Chairman, we are a young democracy. We seek to move forward and to distinguish ourselves in several areas – leadership of women; religious freedom; economic opportunity and growth. We also recognize certain needs for improvement and we will continue to make progress in these areas.

We remain committed to the principles of democracy and freedom. We are building such a society not for the international community, but for our own citizens, our own nation, and our own prosperous and peaceful future.

Thank you for this opportunity to address these important issues with you today.

I am happy to answer any questions you may have.