

FINAL SPEECH OF FARHAD ALIYEV
AT THE COURT OF GRAVE CRIMES OF THE REPUBLIC OF AZERBAIJAN

Just like the primary investigation, the trial process, which is coming to an end, has been conducted upon political orders and therefore, the truth was not revealed.

That's why, regardless of what verdict will be made on my case, I would like to once again touch upon important points concerning the reasons, plotters and implementers of my arrest.

Two years ago, when leader of the ministry that implements economic policy of the country was suddenly arrested with coup d'état charges, the society was shocked. But shortly, everything became clear.

As a minister, I struggled against monopolies and corruption, which are the main reasons of increasing prices, I worked to eliminate shadow economy and reduce poverty, and I openly made statements calling for integration of Azerbaijan to the West. All this was contrary to the interests of those who administer this country, and that's why, the higher political leadership accused me of a coup d'état and made a decision on my arrest.

As the investigation bodies, which could not prove this fabricated accusation, were ordered to keep me in arrest for a long period, they accused me of multiple crimes related with my official position without showing any evidence, and fabricated new and even more absurd charges. I have previously stated many times that my arrest was not connected with the charges against me, but with my activity and statements. I repeat it once again today and want to explain details with all accuracy.

While estimating revenues and expenditures of the state budget, we determined that due to the existing monopolies and shadow economy in the country, at least, 3 billion dollars are evaded from the state budget and misappropriated through customs and taxation bodies.

Resources of the budget are not used efficiently; about 1 billion dollars that were supposed to be allocated to teachers, doctors, pensioners, handicapped and other low-income segments of the population were misappropriated by high-ranking officials under the pretext of investment projects and construction works.

I have implemented broad range of activities in order to fight poverty and unemployment, and prevent monopolists from artificially increasing prices of imported products. Apart from artificial monopolists in the field of imported products, there are also natural monopolists in the country. They are mainly in the energy sector. They always tried to increase the prices of electricity, oil products and gas under the pretext of high costs.

These prices were regulated by the Tariff Council.

As the Chairman of the Tariff Council, I avoided increasing of prices. The monopolists, in turn, increased the amount of electricity and gas sold to the population on paper, thus “produced” and misappropriated 300 million dollars annually. In reality, the population did not get this amount of gas and electricity. Moreover, they also misappropriated the amount of money required to spend on black oil and natural gas to produce that much electricity.

All these were found out during the monitoring conducted by us. We released official information on the results of the monitoring. As the results of our monitoring were not liked, the authority to conduct monitoring was taken from the Ministry of Economic Development and given to the Ministry of Fuel and Energy.

Despite all the pressures, as the Chairman of Tariff Council, I always avoided increasing prices, within the limits of my power. As it is known, after my arrest, the price of electricity was increased three times and the prices of gas and fuel – twice.

Now the state has increased prices of its own electricity, gas and oil products, but does not allow entrepreneurs and farmers to increase the price of their products. They forcibly bring farmers to the agricultural fairs and force them to sell their products at a price that is lower than their costs. As such kind of approach harms the people I was always against such ideas.

I really wanted to creation of an order in the field of energy, establishment of an energy management system at the level of international standards, and elimination of parallel and identical structures in this field. I was against concentration of the money evaded from budget in different funds, because the money was then misappropriated from those funds. I wanted elimination of these funds, so that all the money is channeled directly to the budget. In 2003-2005, I submitted written proposals on these issues several times. Some of them were accepted by the President, some of them were not. I understand the reasons now.

Most part of arable lands has been given to personal ownership of a small group of people by the heads local executive authorities and municipalities. To give some examples, fruit gardens in Quba and large territories in Absheron have been covered by fences. Sovkhozes (agricultural farms) were functioning in these territories before. These lands are fertile and arable lands. People used to work in these lands and support their families. But now these lands belong to 3-5 people and ordinary peasants have been deprived of the right to cultivate them. This was one of the reasons of unemployment and poverty. In other regions of the country the situation is even worse. I had submitted my written appeals on this issue long before my arrest, but still there is no result.

It can be asked how one ministry could do so much work. By regulation, the ministry had 120 functions. But here it is presented in such a way that as if Farhad Aliyev only was the minister of privatization. Only one of many departments of the ministry dealt with privatization.

We had other, more important, works to do. One of the major tasks was related with the development of the private sector. The higher is the level of living of each citizen, the higher is the level of development of the country. That's why, we tried to avoid illegal and irrelevant interferences in the work of the private sector, decrease the number of licenses required from various types of economic activity, and allot credits for the development of the private sector. As a result of our work, the number of licenses required for entrepreneurial activity was decreased from 270 to 30; irrelevant interferences in the work of private sector were avoided. But high ranking state officials who were granting those licenses and who could conduct inspections at any time, did not want to accept this. As their earnings decreased, they chose me as the target.

Everybody knows that Azerbaijan is an oil country. Despite this fact, only two percent of the labor force works in oil sector. 98 percent of the labor force works in non-oil sector and so, their living depends on non-oil sector. I wanted to convert the "black gold" to "human gold". I was trying to divert the revenues coming from oil sector to improvement of living of the remaining 98 percent of population. I wanted to allot oil revenues to the development of regions, revitalization of the agricultural sector, as well as, to the implementation of projects that would have real effect on improvement of the citizens' living.

I was against Azerbaijan's receiving high-interest credits from abroad. Is it logical that Azerbaijan's resources are put in foreign banks with 1% interest rate, but Azerbaijan receives credits from abroad with 6% interest rate? I was against all this.

At the same time, I was trying to create healthy competition atmosphere in various fields of economy and attract investments from the private sector. Did I want to plot a coup d'etat with these activities? – Of course, no. I worked for the progress of the state, but at the end my activities were named "coup d'etat".

I know that the charges against me are absurd. "There is no need for a guide if you already see the mountain". Everybody knows who plotted my arrest and why. It is said in one of the charges that I allegedly received 300 dollars bribe for giving a license to a company. I have signed large investment projects and programs that amounted hundreds of millions dollars. I could have easily misappropriated millions of dollars during this process. Or, let's take the issue related with "Azerfon" company, which my lawyer mentioned yesterday. What I only was not offered in exchange to giving 51 percent of this company to a foreign firm? I knew who were behind the people making these offers and could have easily agreed. But I refused all the offers and kept not less than 51 percent

of the shares in the hands of the state of Azerbaijan. However, at the moment, only 10 percent of the shares of that company belong to Azerbaijan; those who once had offered me bribes now own 90 percent of the company. Now, you can clearly see who took bribes and sold interests of the state, who is the betrayer and coup plotter.

Probably, everybody knows about the trial process related with “Tiger” vessel that has been going on in Africa since 1992. Despite the fact that the Azerbaijan government was ready to pay millions of dollars in fine, I managed to win the trial and thus saved 144 million dollars for Azerbaijan. But the government “rewarded” me by arresting me.

My lawyers have proved that the charges against me are fictitious. I would also touch upon some points. 50 thousand objects in the country have been privatized in accordance with the same rule. By logic, if privatization of one of them is considered wrong, then privatization of all others should also be considered wrong. Why do you choose only 162 of these 50 thousand objects and value them in accordance with current market prices? Where is that market? Was any one of these 50 thousand objects privatized in accordance with current market prices? – Of course, no.

The revenue of the state budget from privatization of all land areas in Azerbaijan was only 15 million dollars. But the accusing side values one piece of land at 18 million dollars and argues that I misappropriated this money. The owner of the land, however, states that he did not pay this much money and that the land belongs only to him.

Isn't the law same for all? It is. Such a distortion of the law is aimed at accusing me and other people arrested under various pretexts with something.

For 2 years they have been announcing to the world that they had caught an organized criminal group. Where is that group? What has it done? I was working in the same building with the Cabinet of Ministers – just 30 meters away from the President's Office. How come, anybody did not find out existence of this “organized group” during 7 years? It can be derived from the charges that from the date of my appointment as minister we created an “organized group” and started to commit crimes. The President appointed me to the post of minister. Then, it appears that it was the President who created the “organized criminal group”. Similarly, four of the members of this “organized group” were appointed to the Collegium of the Ministry by the Prime Minister. Then Prime Minister also participated in the creation of this “organized group”. There was no such group; all this is fabrication of the investigation side.

They accuse us of misappropriating properties in the value of 53 million manats [Manat – Azerbaijan currency. 1 US dollar equals to 0.85 manat approximately]. During the period of my arrest, they took over a large part of those properties, worth 40 million manats. If they were mine, where are they? Why my consent was not asked?

All this is untrue – neither I nor other accused persons here misappropriated anything. Police conducted search in the homes of all these persons. If these people misappropriated millions of dollars as the investigation argues, then during the police search, at least, 10-15 thousand dollars would be found in their homes. Or they would own some other houses, property, objects. If anything was found out during police search or investigation, please reveal to the public. There is nothing and there couldn't be anything.

I can also give some examples. For example, the property located in Ingilab Street, 999th quarter. The owners of that property are a group of handicapped people. They told to the court that due to the lack of funding for medical treatment, they have sold that property and spent the money for their treatment.

Another example, the property located in the address: 81, Neftchilar Avenue (Azadliq Square). Investigation argues that it was a historical building and thus could not be privatized, but they say, I privatized and appropriated it. The investigation put arrest [i.e. froze transactions] on that building. Where is this property that allegedly belonged to me? – It has been demolished. But I was not asked. How come, a historical building cannot be privatized, but can be demolished? How about the decision about arrest on that building? Thus, it appears that properties worth of 40 million manats have been taken over from citizens without any court decision. I don't want to talk about other properties that have been illegally taken over during my arrest. I will give this information in during the next levels of court trials.

The allegations about my using “discrete” authorities and not proposing to change values of the privatized state properties are also untrue. Two and a half years ago, in July 2005, I sent my proposals on this issue to the Cabinet of Ministers. But up until today, the prices have not been changed. So, who is guilty now? They are arguing that in 2000, I did not value properties contrarily to the law. These are all untrue.

Why didn't the investigators check privatization of any big enterprises in the country? – Because the owner of those enterprises is the political plotter of my arrest. The main large enterprises are concentrated in the hands of 5-10 people. Probably, you are aware of the fact that businessmen were massively arrested after my arrest. There were very few people who had something; but their properties were also taken over forcibly and through intimidation.

According to allegations: in Astara district somebody privatized a land section and paid to the state 50 manats less; another person in Dashkasan district bought a small commercial kiosk and paid the state 10 manats less; a third person privatized equipment in the cafeteria of Yasamal District Local Executive Authority and I wasted ladles and pots – What a fabrication is this?

My illegal arrest was also related with global factors. Back in July 2005, I openly stated in the media: "Russia is Azerbaijan's past; the West is its future". This created anger in many people. In October 2005, Rushaylo, Lebedev and Patrushev [Russian officials] came to Baku with large delegations and conducted broad discussions. They persuaded the President that should be arrested. I was betrayed. Since then our ways separated. Yes, betrayal is a very bad and unacceptable thing...

Look what inhuman treatment I have faced during the past two years. I was threatened with death. They questioned me as a suspect in the murder of journalist Elmar Huseynov. I was blackmailed. High ranking officials of the country spread information through media about my connection in the murder. I faced moral torture. Without any court decision, from the highest podiums, they called me a briber and a corrupt person. They said that no document was issued from the ministry without a bribe. Where are those documents? In which area was I a monopolist? Let them show it now. They can't show, because it's untrue.

They spread allegations about me: as if I held secret talks with ambassadors of the Great Britain, United States, famous politicians and agents of secret services of Western countries, as well as, Mrs. Madeleine Albright. Yes, I did have a meeting with Mrs. Albright. But tens of people apart from me also participated in that meeting. I held all of my meetings in accordance with the state protocol. I did the work of the state and talked about my works in all meetings. Official information about these meetings has always been sent to the head of state and protocol service.

A lot of rights of mine have been violated. My medical treatment was not permitted. Yesterday, we again appealed to the court and requested to provide medical treatment. No result.

I would like to note another issue specifically. Alihuseyn Shaliyev died in a mysterious manner during the investigation. This person, who was arrested illegally, was tormented too much. He was a very valuable, professional and educated specialist in his field. He loved his people and his homeland very much. Nobody investigated his death. Nobody was charged for his death. God bless his soul. Other people sitting here have also been arrested because of me. None of them has any fault. I am ready to do anything to get these people released.

My brother, Rafiq, did not say anything at the court today. What should he say? He knows that the decision will not be made in this court. I was arrested upon a political order and I am a prisoner of conscience. Both Rafiq and other accused persons sitting here know what will be the result of this court trial.

They have put conditions before me to get released. Some of the accused persons sitting here confessed that they were "guilty". It is good if a person confesses what he has done.

But the conditions they have put before me require me to confess what I have not done, what I am even unaware of. If I have had committed only one of those deeds, I would have confessed and honestly, would discuss with them their conditions. But why should I confess a crime that I have not committed, that is evil, and that is a slander? I have always preferred living one day with dignity to living a hundred years without it.

During the period of my arrest, high ranking state officials spread slanders about me. But I will not go down to their level and answer each of them one by one. The time, which God bestowed to us, will show who betrayed whom. I once again state that the result of this trial case does not depend on this court. I think that I should have made this speech. Not saying these things would be ignorance of and betrayal to my nation. That's why I should have said these words.

I am once again saying that my work and responsibility was to improve the welfare of my nation, to avoid the illegal actions of customs and taxation bodies, monopolies and state officials, as well as, to prevent poverty and unemployment. It is ridiculous that those who are sinking in the corruption swamp now are accusing me of corruption.

One always looks for flies in the swamp. Did I create this swamp?

One builds a nice house, another demolishes it. The first is remembered for the good deed, the second for demolishing this nice house. I wanted to build and I do not regret that I was arrested this. I do not regret about what I have done. I am proud that I did whatever I could do for my nation.

Regardless of how hard they torture me, my honor is with me. I have never seen that anybody can win the truth or can be higher than the truth. My will is strong; my enthusiasm is high; my patience is endless. I will prove that I am innocent.

I am grateful to all those who participated in this trial process and kept this trial in the center of their attention – to the representatives of the independent media, to the intelligentsia, local and foreign politicians who supported me, as well as, to the local and international human rights organizations. I assure them that they should not be disappointed; I will make their expectations come true and will continue my just struggle till the end.

Farhad Aliyev

4 October, 2007