

**THE U.S. HELSINKI COMMISSION
DELEGATION
TO GEORGIA AND AZERBAIJAN
April 22-29, 1996**



June 1996

**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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This trip report is based on a Helsinki Commission staff delegation to Georgia and Azerbaijan from April 22- 29, 1996. Commission staff first attended a conference on Conflicts in Transcaucasia and the Role of the Mass Media in Kobuleti, Ajaria (an Autonomous Republic in Georgia). Afterwards, Commission staff spent three days in Baku, examining the political situation in Azerbaijan since the November 1995 parliamentary election.

The Helsinki Commission would like to thank Ambassadors William Courtney and Richard Kauzlarich, and the staffs of the U.S. Embassies in Tbilisi and Baku, for their assistance.

KOBULETI, AJARIA (APRIL 22-26)

From April 22-26, 1996, Commission staff attended, along with 30 media professionals, the International Conference on Conflict in Trans-Caucasus [sic] and the Role of Mass Media, held in Kobuleti, Ajaria (an Autonomous Republic in Georgia). The conferences organizers were the OSCE Office of Democratic Institutions and Human Rights (ODIHR), the OSCE Mission to Georgia, the Council of Europe and the Tbilisi-based Black Sea Press Information Agency. The project was co-sponsored by the U.S. Agency for International Development, through the Eurasia Foundation.

Participants came from Baku, Tskhinvali (South Ossetia), Stepanakert (Nagorno-Karabakh), (See Endnote 1.) Tbilisi and Yerevan. Organized by the ODIHR as a follow-up to the 1995 Human Dimension Implementation Review Meeting in Warsaw, the conference was one in a series on the role of the media in conflict situations and in systems undergoing the transition from communism. The stated aim of these conferences is to develop awareness of and working recommendations for the journalists working in conflict regions on the role the media can play in preventing and resolving conflicts. A secondary goal is to give journalists from states or regions in conflict the opportunity to meet, discuss common problems and establish personal contacts to promote the exchange of information. Other scheduled conferences examine the role of the media in the former Yugoslavia (June 1996) and the situation of the media in Uzbekistan (October 1996).

One important reason conference organizers chose Kobuleti was that Ajaria has managed to avoid the destruction and disruption visited upon the rest of Georgia in the last several years by ethnic conflicts and by gangs of marauding criminals associated with various paramilitary groups. Under the iron grip of Aslan Abashidze, the Chairman of Ajarias Supreme Soviet, Ajaria has been relatively calm, and has taken in refugees from Georgias ethnic-separatist conflicts in Abkhazia and South Ossetia. Since these conflicts are technically unresolved, Tbilisi, the capital, would have been problematic for Abkhaz and South Ossetians, whereas Ajaria seemed a more neutral site.

OBJECTIVES

The format of the ODIHR conferences brings together print and electronic journalists, representatives of governments, multilateral institutions, and non- governmental organizations to discuss the conditions under which journalists are working, how they perceive their role and purpose, and how their work either perpetuates or helps solve conflict. The Kobuleti conference was supposed to bring together for the first time representatives

from all the peoples involved in ethnic conflicts in Transcaucasia: Abkhaz, Armenians (from Armenia and Nagorno-Karabakh), Azerbaijanis, Georgians, and Ossetians. Conference organizers hoped to find ways of consolidating the current cease-fires in these conflicts and preventing similar conflicts from breaking out.

An equally important objective involved bringing together Armenian and Azerbaijani journalists, many of whom had never before had the opportunity to speak with each other because of the Nagorno-Karabakh conflict that erupted in 1988. The same held true, although to a lesser degree, for Georgian and South Ossetian journalists separated by the hostilities of 1990-1992. In short, in a format of information exchange about journalism, the conference aimed at humanizing enemy journalists from the other side of the various cease-fire lines.

Unfortunately, Abkhaz authorities early on rethought a previous commitment to participate, and forbade Abkhaz journalists from attending. At one point during the second session, the Abkhaz authorities invited all conferees to travel to Abkhazia either on their own or as a group. After discussion, conference participants declined the invitation because of security concerns and for fear of being inveigled in a show tour.

CONFERENCE SESSIONS: After welcoming remarks by Ambassador Dieter Boden, Head of the OSCE Mission to Georgia, conference organizer Paulina Merino likened the national media to a nerve system in society. People in society do not know what happens unless they hear from the media. Your role as journalists is very important since so many people only see society through your eyes. Jeroen Schokkenbroek, representative of the Council of Europe, ascribed three ultimate objectives to the conference: the promotion of democracy, the protection of human rights, and raising the sensitivity of journalists to their role in society. He pointed out the significance of freedom of expression and mass media are as yardsticks for membership on the Council of Europe. (See Endnote 2.) A key question he raised, which helped set part of the introspective tone of the conference, was whether journalists are expected to be patriotic or objective. With private ownership of media barely developed in this region, the pressure on journalists to propagandize government positions, especially when those governments are involved in armed hostilities, is difficult to resist.

The formal topics of discussion were Specificity of Journalistic Work in the Conflict Zones; Understanding the Dynamics of a Conflict; the Role of the Mass Media in Different Stages of the Conflict (the Position of the Azerbaijan Mass Media with Respect to the Coverage of the Conflict in Nagorno-Karabakh; the Position of the Armenian Mass Media with Respect to the Coverage of the Conflict in Nagorno-Karabakh; Coverage of the Conflict in Abkhazia by the Mass Media of Georgia; and the Position of the Abkhazian Mass Media with Respect to the Coverage of the Conflict in Abkhazia); Protection of Journalists in Situations of Conflict and Tension; the Ethics of Journalism; the State and Mass Media in Situations of Conflict and Tension; and, the Influence of Mass Media on Public Opinion in Conflict and Post-Conflict Situations.

During each session, journalists raised particular problems they had encountered over the past several years while working in areas of conflict, such as the issue of self-censorship and the lack of access to government documents. One of the most serious impediments to responsible journalism in this unstable region has been restriction on movement, due to armed hostilities. Today, even when ceasefires are in effect, travel between states and regions in conflict is limited, which diminishes journalists ability to report on current or past events, or to get different perspectives. For instance, information between Armenia and Azerbaijan is passed only through two news agencies (not counting, of course, foreign correspondents coverage). The participants agreed to create an informal exchange program, working with their colleagues from the other side to improve their relationships, to understand better the others point of view, and to provide better reportage to their publics.

Between the sessions, journalists had the opportunity in a more formal way to interview their colleagues. For example, Azerbaijani journalists interviewed members of the Nagorno-Karabakh delegation. In listening to the interviews, one of their more striking aspects was the tendency of journalists from whom one might have expected a more independent approach to controversial political issues to echo the official lines of the governments of their countries. For example, a member of the Nagorno-Karabakh delegation responded to questions from an Azerbaijani journalist in virtually the same language used by Robert Kocharian, the leader of Nagorno-Karabakh, when he came to the United States earlier in 1996. Azerbaijani journalists, for their part, closely adhered in interviews to Baku's official view of the conflict. To judge by the passion displayed, these journalists were not just parroting official positions, but sincerely shared and supported them.

Not surprisingly, therefore, some tension among the participants was evident throughout the conference, but never got out of hand. To resolve disagreement, for example, as to whether someone from Kobuleti was Georgian or Ajarian, individuals were referred to as being from Kobuleti or Tbilisi. Another example concerned sharing war footage taken from both sides of a conflict. To do so without rancor, it was agreed that participants would view footage without comment. Thus for two nights, small groups from the various conflicts stayed up until 3:00 a.m. viewing each others rather graphic work, followed by conversations that tended to focus on the problems of journalistic ethics and self-censorship.

RESULTS

Participants at the Kobuleti conference displayed an encouraging spirit of cooperation and a strong desire to compromise and achieve positive results. The assembled journalists came to agree that the way information is presented and even the basic editorial decision to cover certain events influence public opinion, affect emotions and may create prejudices. They ultimately concluded that while reporting truthfully on combat and loss of life during wartime is important, it does not contribute to the peace process to continue to dwell on such incidents after the hostilities cease.

From remarks made in open session and in private discussions, most of the participants clearly felt the conference had helped open vital channels of communication that would be invaluable in the future, overcoming several obstacles that had previously prevented such communication. The discussions also moved journalists to rethink their role, responsibilities and the ethical aspects of their influence on the peace process. It appeared that many of them felt they may have, in fact, exacerbated the conflicts through poor journalistic style and content, rather than alleviating the problems by educating the public. In particular, the conferees emphasized the dangers of reportage that demonizes the enemy and perpetuates hatred, thereby prolonging the conflict.

The conference, for the most part, achieved its objectives. Journalists from across borders were able to meet and discover that they had shared goals, i.e., this was a humanizing conference. Second, it was apparent from the discussions that the journalists returned home reinvigorated about their role and the responsibility that role carries in society. Third, the journalists agreed to work between themselves and reconvene in six months to evaluate their progress. They believed that having more government officials involved would be beneficial as they discussed the role of the free press in the future. Finally, the participants reached significant agreement about long-term objectives and procedures for the future, as indicated by the conference's Final Document (see the appendix).

RECOMMENDATIONS

Materials concerning the ODIHR and various NGOs were distributed, but little information concerning the Helsinki Final Act and subsequent OSCE documents were circulated or discussed. The relevance of the conference to the roles and missions of the OSCE was also not addressed. Such discussion could have pointed out the significance of problems in Transcaucasia for the entire OSCE community, not just the region, and would have supplied a framework in which solutions could be viewed.

While the local organizer deserves credit for proposing the conference, too often conversations were truncated or rerouted at the whim of the Chair. It was somewhat ironic that a conference based on the fundamentals of free speech and expression had such a heavy hand injected as soon as any contentiousness arose. These discussions could have led to some very constructive exchanges. Avoiding such unilateral decision-making during debate in the future would be advisable.

SIDENOTE: Throughout the conference, Ajarian journalists who work under very tight controls filmed the proceedings for broadcast in the local media. On the eve of Commission staffs departure from Kobuleti, a previously made request for a meeting in nearby Batumi (the capital of Ajaria) with Aslan Abashidze, the Chairman of Ajarias Supreme Soviet, was granted. (See Endnote 3.) During the meeting, in which two representatives of the Council of Europe participated, Abashidze stressed his determination to maintain law and order in Ajaria and discussed his troubled relations with Tbilisi. Since that conversation, relations between Tbilisi and Batumi have remained controversial. In fact, the Georgian press agency IBERIA reported on April 29 that Abashidze threatened to block oil transport across Ajaria unless Georgia defines Ajaria as a sovereign presidential republic. The press service of Ajaria subsequently denounced that report as disinformation and slander. (See Endnote 4.)

POSTSCRIPT: On the initiative and under the aegis of the OSCE Mission in Georgia, a follow-up Round Table meeting between Georgian and South Ossetian journalists took place in Tskhinvali on May 14, 1996. Each side delegated five journalists covering mass media from TV to news agencies. The participants were greeted by the deputy chairman of the Parliament, Mr. Mamiev, and other representatives of the South Ossetian leadership.

Ambassador Dieter Boden of the OSCE opened the meeting, noting that the event could contribute to a permanent settlement of the conflict. He referred to the Memorandum on Security and Confidence-building Measures signed in Moscow on May 16, in which journalists were called upon to support the settlement process. Participants discussed specific aspects of the work of journalists in the conflict zone, the need to overcome the existing news blackout, and prospects for cooperation. Particular attention was given to the need to ensure that media representatives can move safely about and remain in the conflict zone.

The participants in Tskhinvali expressed their support for the Final Document of the conference in Kobuleti. They associated themselves with the working principles for journalists which had been formulated at that conference and called upon all journalists covering the Georgian- Ossetian conflict to observe the following principles in their work:

Refrain from the publication of materials based on unverified data, and which ultimately lead to the portrayal of entire nations as enemies; refrain from justifying cruelty and terror, regardless of the aims proclaimed by the parties guilty of resorting to those measures; keep the public informed, quickly and fully, about documents governing the legal situation in regions of conflict; reject the use, in their reports on conflicts, of propaganda clichés,

or references to ethnic or denominational inferiority; refrain from using provocative or insulting language; and to assist in the search for models of conflict settlement aiming to guarantee a stable peace and eliminate the possibility of renewed military actions, and also to support all efforts aimed at sustaining stability in the region.

CONCLUSION

The conference in Tskhinvali was a constructive follow-up to its predecessor in Kobuleti, and demonstrated the benefits of assembling journalists from states in conflict, under the aegis of the OSCE, with the participation of multilateral organizations. After years of bloodshed and a virtual cessation of normal personal and professional contacts among media professionals from the states in conflict, it appears that a process has begun, which could play a positive role in fostering long-term resolutions to the various disputes in the troubled region. The format has limitations, of course: journalists do not make policy. Moreover, in Armenia, Azerbaijan, and Georgia, they are still in many ways dependent on governments, which maintain especially tight control of electronic media, and journalists are susceptible to the very real pressures and emotions engendered by the armed hostilities in which their countrymen are engaged. Nevertheless, the conference brought home to the participants the consequences and importance of journalism, and the corresponding need for responsible, dispassionate professionalism.

In Kobuleti, journalists from Armenia and Azerbaijan informally discussed holding a future meeting in Baku or Yerevan. With the OSCEs negotiations on Nagorno-Karabakh faltering, it remains to be seen whether these journalists plans will be translated into concrete realities. At this point, neither side including journalists and governments has anything to lose.

BAKU (APRIL 26-29)

The trip to Baku was a follow-up to Commission staffs monitoring of Azerbaijan's November 1995 parliamentary election, which, according to international observers, did not meet international standards for free and fair elections. (See Endnote 5.) Commission staff was particularly interested in how government-opposition relations had developed since the election.

MEETINGS

Commission staff met with Parliament Speaker Rasul Guliev; the Mayor of Baku, Rafael Allakhverdiev; and advisors to President Heydar Aliiev. Commission staff also met with representatives of opposition political parties: the Popular Front (APF), Musavat, the Party of National Independence, and along with U.S. Ambassador Richard Kauzlarich spoke with Tofiq Gasymov, former Foreign Minister and Member of Parliament, now charged with treason. Finally, Commission staff had a brief, informal conversation with President Aliiev during his visit to villages outside of Baku for the holiday of Gurban Bayram.

The backdrop to all these discussions was the upcoming June 16 presidential election in Russia. Throughout Transcaucasia, judging by conversations in Baku (and Kobuleti, where journalists from Armenia, Georgia, and Azerbaijan congregated), echoes of Russia's election have left both governments and opposition movements in a waiting mode. Most interlocutors believed Boris Yeltsin would win, by hook or by crook, but often expressed concern about a possible communist victory, about the implications for stability in Russia if Yeltsin won by questionable means, and how any future occupant of the Kremlin would treat the countries of Transcaucasia, as Russian-inspired pressures for integration among the CIS states intensified.

NAGORNO-KARABAKH

The military phase of the conflict has ended, for now, and negotiations are underway. Nevertheless, any discussion of the political context in Azerbaijan should begin with the status of this conflict, which has played such an influential role in Azerbaijan's domestic affairs since 1988.

The May 1994 cease-fire continues to hold, with occasional, small-scale lapses, but little real progress has taken place in the OSCE negotiations. Among the major sticking points are security arrangements for Nagorno-Karabakh, control of the Lachin corridor (which links Nagorno-Karabakh to Armenia), and most problematic, the ultimate status of Nagorno-Karabakh. Baku has offered Nagorno-Karabakh a status like Tatarstan within the Russian Federation, which Azerbaijani officials characterize as the highest possible form of autonomy. Nagorno-Karabakh representatives, however, continue to insist on full independence.

On April 21, Armenian President Ter-Petrosyan and President Aliiev issued a joint communique in Luxembourg, which reconfirmed their commitment to a peaceful resolution of the conflict and to the Minsk Group talks. In general, though, the mood in Baku was gloomy about prospects for a negotiated settlement in the near future. In January and February, some commentators had expected that Russia's intensified focus under its new Foreign Minister, Yevgenyi Primakov on the other CIS states might produce a Moscow-Baku deal involving Armenian concessions in Nagorno-Karabakh and Azerbaijani concessions to Moscow's continuing demands for joint border controls, military bases, and participation in a joint air defense system. Such theories received a boost from the April arrest in Moscow of former Azerbaijani Defense Minister Rahim Gaziev, and more spectacularly, the detention of former Azerbaijani President Ayaz Mutalibov, which indicated a higher level of bargaining. Baku has long demanded their extradition on charges of treason and coup-plotting, while Moscow has used them to pressure President Aliiev. So far, however, Azerbaijan is still rejecting Russian demands for these strategic assets, and, ultimately, only Rahim Gaziev was extradited to Baku. Ayaz Mutalibov's fate was still uncertain while Commission staff was in Azerbaijan, but he has since been released by Russia's Procuracy, a sign that whatever negotiations were going on, the sides were unable to reach agreement. (See Endnote 6.)

An important consideration in evaluating prospects for a speedy resolution of the Nagorno-Karabakh conflict are three key presidential elections in 1996 in Russia (June-July), Armenia (September), and the United States (November). From the perspective of Baku (and Tbilisi), the most meaningful election was Russia's: a victory by Communist Party leader Gennady Zyuganov in Russia, they believed, threatened to continue or to intensify Russian support for Nagorno-Karabakh (and Abkhazia), which, in turn, would stick to their hard-line negotiating positions. In any case, the political sensitivities involved in these elections (See Endnote 7.) have dampened hopes for any major movement on Nagorno-Karabakh this year. In 1998, however, Heydar Aliiev will be running for reelection as President, and he will presumably be under greater pressure before then to show some progress on the return of occupied territory. Addressing villagers and refugees outside Baku on Sunday, April 28, President Aliiev acknowledged that his efforts to achieve Azerbaijan's goals through negotiations had not yet been successful, but he pledged to continue trying and promised that the territories would be regained and that refugees would be able to return to their homes.

ELECTIONS

In February 1996, repeat elections took place in 15 of Azerbaijan's 125 electoral districts. Opposition sources reported that they were able to field candidates, but the voting and vote count featured the same sort of violations that had marred the first round and runoff elections in November 1995. For example, the Chairman of Musavat, which had been barred, on questionable grounds, from fielding a party list in November in Sumgait,

but he said there was widespread ballot stuffing and opposition observers were ejected from polling stations. Ultimately, of the 15 opposition candidates who entered the lists, two won seats in parliament, one from the Popular Front and one from Musavat.

Local elections are anticipated in the near future, though the law on local elections has not yet been passed and no date has been set. Opposition sources said they would participate, even though they harbor no great hopes for fair elections, nor do they see local councils as bodies with any real power.

PARLIAMENT

In Parliament, Speaker Rasul Guliev, who was reelected without opposition in November 1995, has since made waves in Azerbaijan by criticizing both his parliamentary colleagues (for their lack of professionalism and work habits) and the government (for its proposed budget). He laid out to Commission staff his legislative reform agenda, which includes: judicial reform, laws liberalizing the economy, and education (in which one important issue is whether university deans will be elected or appointed). Discussing the upcoming local elections, Guliev stressed the importance of creating elected bodies to counter the local executive authorities, which do whatever they want.

GOVERNMENT-OPPOSITION RELATIONS

After the final round of voting in February 1996, the parliamentary representation of the opposition is Popular Front (4), Party of National Independence (4), and Musavat (1), for a total of nine out of 125 seats. With limited opportunities to influence legislation, the opposition has nevertheless managed to present its views on important issues, including the budget and an amnesty bill, and occasionally to get its issues onto the parliamentary agenda. Popular Front deputies have prepared a bill, for example, on local elections.

Opposition spokesmen reported that government pressure, after an election-related lull, had intensified in February, with the sentencing of a leading Popular Front activist and the seizure of APF headquarters in Nakhichevan. (See Endnote 8.) Even more ominously, in early April 1996, the authorities organized a Peoples Convention, at which government officials, including President Aliev, broadly blasted the opposition as enemies of Azerbaijan's sovereignty and independence. Some of Aliev's aides specifically linked members of the Popular Front and the Social Democrats, among other opposition parties, with the March 1995 coup attempt.

In the wake of the Peoples Convention, although tensions have risen, no mass repression has taken place, no parties have been banned, (See Endnote 9.) and opposition political parties still publish their newspapers. The opposition remains, however, under pressure; its possibilities for action and political organizing especially outside Bakuremain limited, and its newspapers are subject to censorship. Moreover, after the People's Convention, an atmosphere has been created that could facilitate a larger- scale crackdown, should that decision be made.

TOFIQ GASYMOV

One aspect of troubled government- opposition relations is the case of Tofiq Gasymov, Foreign Minister under the Popular Front government (1992-1993) and former Parliamentary deputy. Gasymov now stands accused of treason: specifically, of having masterminded the March 1995 events, in which a Deputy Minister of Internal Affairs, Rovshan Javadov, was killed, along with 48 others, in one of a series of announced coup attempts.

Gasymov was affiliated with the Center for Strategic Studies, a Baku think tank. He concedes that Javadov attended sessions at the Center, but argues that Javadov was a government official, and that other government figures had been invited but did not come. Gasymov claims that seminars at the Center about domestic politics had concerned methods of uniting Azerbaijans opposition, but that the authorities were portraying these innocent discussions as plans for an attempted coup.

Gasymov was arrested in September 1995, soon after Musavat listed him as Number Two on its party list of parliamentary candidates. He was released from prison in February 1996 after months in solitary confinement, where, according to him, he was forcibly given injections but not tortured. His physical condition remains frail, and he is not always entirely lucid.

Pleading poor health, Gasymov requested assistance in convincing the authorities to delay the beginning of his trial, scheduled for May 7. He also asked that his case be separated from that of two other defendants in the March 1995 events, and that his trial be held in open court.

Commission staff communicated these requests to the authorities. A government official replied that the Procuracy has ample evidence of Gasymovs guilt. Moreover, he said Gasymov had stated on ANS television (See Endnote 10.) several days before his arrest that he had urged Rovshan Javadov to unite the political and military opposition to overthrow President Aliev, whom Gasymov allegedly characterized as an illegal leader. Nevertheless, the official promised to convey Gasymov's requests to the proper authorities, and to take into account his physical condition. Commission staff stressed that if the authorities have convincing proof of Gasymovs involvement in a coup attempt, there should be no reason not to hold an open trial, and thereby persuade Azerbaijani society and the international community which knows Tofiq Gasymov as a former Foreign Minister that the accusations are not merely a political vendetta.

Since then, Gasymovs trial has, in fact, been indefinitely postponed, while he undergoes psychiatric examination. One interesting aspect of the case, directly relevant to whether his trial will be open, has been the alleged involvement of Turkish officials and nationals in the March 1995 coup attempt. Soon after the shootout and the death of Rovshan Javadov, the Turkish ambassador left Azerbaijan, and it had been widely believed, though rarely discussed publicly, that some individuals at the Turkish embassy were implicated in the plot. After Gasymovs arrest last fall, officials quietly contended that an open trial would be very difficult because they would have to make public the involvement of Turkish citizens, greatly complicating Baku's relations with Ankara. At the April 5-6 Peoples Convention, however, President Alievs Chief of Staff, Ramiz Mekhtiev, openly accused several Turkish citizens of having conspired to kill President Aliev in March 1995. These public charges, at such a high level, have now entirely undermined any argument against an open trial for fear of exacerbating Azerbaijani-Turkish relations.

AZERBAIJANI-RUSSIAN RELATIONS

As mentioned above, government officials and opposition spokesmen discuss domestic Azerbaijani politics with one eye on Russia. Moscows pressure on Baku for strategic concessions has not abated, and, indeed, everyone expects it to intensify. Some Azerbaijani officials point to the unhappy experience of Georgia as an argument against any concessions to Russia. Tbilisi has yielded to Moscows pressure for military bases, for instance, yet Moscow has done nothing to help Georgia regain even nominal control of Abkhazia, though Moscow professes to recognize Georgia's territorial integrity. In fact, Moscow has failed to carry out all the sanctions imposed on Abkhazia at the CIS Summit in Moscow in January 1996. At the Peoples Convention in

April, government ministers openly called former warlord Surat Husseinov, who led the uprising that toppled Popular Front President Abulfaz Elchibey in June 1993 and who subsequently, as Prime Minister, plotted against Heydar Aliev, an agent of the Russian Ministry of Defense. Various speakers pointed to Moscows harboring of other coup plotters who had fled Azerbaijan, and clearly implied that Moscow was deeply involved in attempts at subversion.

Nevertheless, President Aliev has strongly backed President Boris Yeltsin in his reelection bid (as have all the leaders of the CIS states). Along with Armenian President Ter-Petrosyan, Georgian President Shevardnadze, and heads of Russias southern republics, Aliev met with Yeltsin in Kislovodsk in early June to sign a Declaration on Inter-Ethnic Accord, Peace and Economic and Cultural Cooperation in the Caucasus. Although Azerbaijan has no reason to expect Russian pressure to ease under Boris Yeltsin, Baku evidently prefers him to Gennady Zyuganov, who openly calls for the voluntary restoration of the USSR. Baku also hopes that a reelected Yeltsin will carry out the idea behind his statement in January 1996 at the CIS Summit that the status of autonomous republic would be the most Nagorno-Karabakh could hope for. (See Endnote 11.)

One issue that has not aggravated Russias relations with Azerbaijan, unlike some other former Soviet republics, is the status of Russians. In mid-June, a delegation from the Russian Duma, led by Speaker Gennady Seleznev, visited Baku in hopes of improving bilateral ties, and reportedly pronounced itself satisfied with the conditions of the Russian-speaking population. (See Endnote 12.)

MEDIA

The media have been under government pressure since the fall of the Popular Front government in summer 1993. For example, though opposition parties function in Azerbaijan and can publish newspapers, they have been subject to censorship, which intensified after an October 1994 coup attempt. Opposition newspapers were not closed down, but they often appeared with blank spots, indicating where the censor had cut material deemed objectionable or sensitive. Officially, the authorities only acknowledged military censorship, pointing to the ongoing Nagorno- Karabakh conflict. However, newspapers of all political parties, the independent press and other media have, in fact, been subject to political censorship, as well. In September 1995, at the last session of parliament before the election, Speaker Rasul Guliev openly acknowledged the continuing practice of political censorship, and called for its abolition. Before the November 1995 parliamentary election and constitutional referendum, all political parties reported that censorship had eased substantially, and journalists were hoping that the newly adopted constitution, which specifically forbids censorship, would provide legal protection for full freedom of the press, except for military secrets.

Political censorship, however, continues in Azerbaijan. For example, according to opposition sources, no newspapers were able to print the Popular Fronts response to attacks on the opposition during the People's Convention of April 5-6. Opposition political parties reported that their newspapers must be delivered to the censor by 8 p.m. the evening before the next days scheduled publication, and that the only available typograph which is state-controlled will not publish the paper without a seal of approval from the censor. The Ministry of Defense handles military censorship, while the Presidents staff directs political censorship.

Indeed, Commission staff had the opportunity to verify reports of continuing censorship, by visiting the offices of Azerneshr Publishing in the Mosbank Building on Gusi Gadjiev street. This is the only publishing operation available to the print media. In one of the fourth-floor offices sat two men who were later identified as a military censor and a political censor. Also present were representatives of two newspapers, presenting layouts for the next day to the censors.

One interesting wrinkle in the situation of the press has been the confrontation between Parliament Speaker Guliev and Jalal Aliev, a member of parliament (and brother of President Heydar Aliev). Jalal Aliev has strongly criticized journalists, especially those connected with opposition newspapers, calling for their expulsion from the parliament. Guliev, however, has publicly defended the right of journalists to cover the activities of the legislature, and, as of now, they are doing so.

OUTLOOK

Perspectives for developing freedom of the press depend on the course of political reform in Azerbaijan, and the general state of government-opposition relations. Musavat Chairman Isa Gambar speculated that Azerbaijan would have to decide in the next few years whether to take the Central Asian route and ban the opposition altogether, or to liberalize, which, he felt, would necessitate pre-term parliamentary elections. But these alternatives seem too stark for Azerbaijan, where unlike Central Asian countries the opposition was in power for a year under a Popular Front government. Simply banning opposition parties, especially under the close watch of Western governments, would entail serious political consequences. Along with staking a great deal on developing good relations with the West and the United States in particular, President Aliev has pledged to observe and promote democratic reforms. The constitution he shepherded to adoption last November enshrines the right of association, and it is undoubtedly a source of pride for him that Azerbaijan does not have the reputation of Central Asian states which permit no opposition.

On the other hand, under Heydar Aliev, there are certainly strong pressures on the opposition, which are not likely to disappear. After the Peoples Convention, more broad-based repression may yet materialize, especially if the economic situation deteriorates further, less likely, if Aliev decides to make an accommodation with Moscow that the opposition, which strongly backs his rejection of Russian demands, cannot accept. Given the turbulent political history of Azerbaijan since the late 1980s, normalization of government-opposition relations will be a long-term process, and will require the best possible will from all sides, as well as careful monitoring and encouragement by Western governments.

APPENDIX I

The Final Document of the International Conference “Conflicts in Transcaucasia and the Role of the Mass Media”

Organized By the ODHIR iIn Cooperation with the OSCE Mission to Georgia, The Council of Europe, and the Black Sea Press Information Agency (Kobuleti, 22-26 April, 1996)

The first conference of representatives of the Transcaucasian mass media was held in Kobuleti, on April 22-26, 1996. The aim of the Conference was to combine the efforts of the journalists in assisting the process of peaceful settlement of the armed conflicts in the Region. The Conference was organized on the initiative of the Black Sea Information Agency, the OSCE Office for Democratic Institutions and Human Rights in cooperation with the OSCE Mission to Georgia, and the Council of Europe. The project was also co-sponsored by the U.S. Agency for International Development via the Eurasia Foundation. The Conference was attended by delegations from conflict-torn regions of Transcaucasia. The proceedings were devoted to the following subjects: specific features of the work of the journalists in hot spots and the problems of their safety; state information policy; prospects of overcoming the information blockade and cooperation within the area; the mass media impact on the public opinion; problems of independent mass media and of the observance by the journalists of professional ethics.

The Participants express satisfaction with the proceedings of the Conference which confirmed their adherence to the principles of the universality of human rights, freedom of speech, and objectiveness of information.

The participants express regret at the absence at the Conference of Abkhazian journalists and call upon them to join the dialogue.

The participants call upon all journalists reporting on the conflicts in Transcaucasia:

- to refrain from publishing materials based on unconfirmed data, which may lead, in the end, to regarding whole nations as the personification of the image of the enemy
- to refrain from approving cruelty and terror, no matter what aims have been proclaimed by the persons resorting to them
- to inform the broad public fully and in due time about the documents regarding the legal situation in conflict-ridden areas
- to refuse using, in the materials devoted to conflicts, propaganda cliches and mutual references to ethnic or confessional inferiorities
- to refrain from using provocative or insulting language
- to assist in the search of models of conflict settlement aiming to guarantee stable peace and eliminate the possibility of renewed military actions; and also to support all efforts aimed at sustaining stability in the Region.

The Conference resolutely condemns all cases of political censorship preventing the press from taking up important subjects and discussing important events, or denying reporters access to the scene of action.

The Conference calls upon the conflicting parties to broaden the scope of negotiated problems and address such issues as the necessity to overcome informational alienation and to stimulate informational exchange.

The participants point to the fact that it is impossible to apply uniform standards to the journalists sent to the site of conflict from abroad with a mission to report on the events, and to the journalists representing the conflicting parties.

The participants draw the attention of international organizations to the lack of mechanisms capable of ensuring the safety of the journalists as well as to the necessity to improve the legal documents which regulate the status of a journalist in an armed-conflict zone.

The Conference finds it expedient to discuss the issue of setting up an independent association of Transcaucasian journalists with a view to coordinating activities and solving problems as they emerge.

The participants expressed the wish to continue meetings of this kind. It was suggested that in six months time a similar conference should be convened in one of the Transcaucasian towns. In compliance with the agreements of the present conference, it is believed expedient to organize a number of bilateral meetings for journalists representing the parties to the conflicts. It is perceived as necessary to contribute to the increase of participation in such conferences.

The participants appeal to the conflicting parties and mediators in negotiations to assist in the execution of the agreements achieved by the Conference and to contribute to the convocation of further meetings of this kind.

ENDNOTES

1. The Azerbaijani name for the capital of Nagorno-Karabakh is Khankendi.
2. Armenia and Georgia have special guest status in the Council of Europe.
3. The meeting began at 11 p.m., and ended at around 3 a.m. Abashidze explained that he generally worked through the night, sleeping only a few hours.
4. Foreign Broadcast Information Service [FBIS-SOV], Daily Report, May 16, 1996, p. 57.
5. See Commission on Security and Cooperation in Europe, Report on Azerbaijan's Parliamentary Election and Constitutional Referendum, January 1996.
6. On May 13, Russia's Procurator refused to hand Mutalibov over to Baku, arguing that there was no convincing proof of his involvement in stealing weapons and creating armed units, as charged. The Russian Duma had strongly supported Mutalibov, releasing a statement on April 17 that blasted Russian law enforcement officials for apprehending Azerbaijan's former president because of his political beliefs. What did Moscow gain by handing over Rahim Gaziev to Baku? It is difficult to posit a clear quid pro quo, but Azerbaijan in mid-April signed the CIS Convention on the CIS Inter-Parliamentary Assembly, becoming a full member. In mid-May, Russia and Azerbaijan also signed an agreement strengthening border controls between Azerbaijan and Dagestan (in Russia), which involves the joint training of border troops (OMRI Daily Digest, May 20, 1996).
7. President Ter-Petrosyan, in his speech after being nominated for reelection, said that the Nagorno-Karabakh conflict could not be resolved only on the basis of the principle of territorial integrity. Rather, the right of self-determination should be basic in settlement of the dispute. FBIS-SOV, June 12, 1996, p. 69.
8. OMRI Daily Digest reported on June 3 that five purported members of the Popular Front had been arrested in Nakhichevan on charges of trying to assassinate President Aliiev in 1993. The Popular front has denied, however, that the individuals are APF members.