



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: Hon. Christopher H. Smith

Chairman - Helsinki Commission

Welcome to this hearing on Elections, Democracy and Human Rights in Azerbaijan. This is the latest in a series of hearings the Commission has been holding on the countries of Central Asia and the Caucasus, with more to follow.

Today the Commission is focusing on Azerbaijan because of the critically important election coming up. In November, Azerbaijani voters will elect a new legislature. Observation missions from the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), which monitored the 1995 and 1998 parliamentary and presidential elections, concluded that they did not meet OSCE standards. Council of Europe observers gave a harsh assessment to the first round of the local elections in December 1999, though they noted improvements in the second round.

The conduct of November's election will help define the country's political orientation and its international reputation. Is Azerbaijan developing towards Western-style electoral democracy or are Soviet patterns of controlled elections still prevalent? Unfortunately, to judge by OSCE verdicts on many recent elections, the latter pattern seems to be dominant throughout much of the former USSR. The assessment of Azerbaijan's November election will also help determine whether the country is admitted to the Council of Europe, where it currently has Special Guest status.

Domestically, the election offers an historic opportunity for the consolidation of Azerbaijani society. The legacy of Azerbaijan's recent elections has been deep distrust between the government of President Aliev and opposition parties. While opposition parties function in Azerbaijan, publish their newspapers and are represented in parliament, they face various constraints. With the election approaching fast, opposition parties have reacted skeptically to assurances from the government that the election will be free and fair. It is essential for the future development of Azerbaijan's democracy and for the legitimacy of its leadership that November's election be free and fair and the results be accepted by society as a whole.

We are well aware that the last dozen years have been turbulent for Azerbaijan. The reestablishment of independence has been accompanied by the tragic Nagorno-Karabakh conflict, war, the loss of territory and massive refugee problems. Moreover, Azerbaijan is located in an extraordinarily complex region, at the crossroads of civilizations and competing empires, some of which to this day harbor hopes of influencing, if not controlling, the country.

Obviously, these are not the most favorable circumstances to overcome the legacy of Soviet rule. But if I may quote Ambassador Nelson Ledsky of the National Democratic Institute (NDI), "Azerbaijan is a country where democracy is both necessary and possible." That is a sentiment I support fully. The purpose of this hearing is to publicize the issues surrounding the election in a country with so much promise and such strategic and economic importance for the United States.

Finally, I know that today Azerbaijan is celebrating its independence day. I congratulate you and express the hope that the November election will strengthen your independence.

To discuss Azerbaijan's election, democratization and human rights, we have assembled an extremely qualified group of witnesses. Speaking on behalf of the State Department is Ambassador Daniel Fried. A career Foreign Service Officer, Ambassador Fried has only recently finished his tour in Poland. In fact, he took up his new position as Special Deputy Assistant to the Secretary of State for the New Independent States only on May 8. That has not given him very much time to acquaint himself with his new set of responsibilities and we appreciate his willingness to undergo this trial by fire. From 1993-1997, Ambassador Fried was Staff Director at the National Security Council and Special Assistant to the President and Senior Director for Central and Eastern Europe. Previously he served in the Soviet Union, Yugoslavia and Poland.

Ambassador Fried is accompanied by Clifford Bond, the State Department's Office Director for Central Asia and the Caucasus since 1998. A Minister Counselor, Mr. Bond is a Career Foreign Service Officer, whose foreign postings have included Belgrade, Stockholm, Prague and Moscow. He was a Special Advisor to the Coordinator for Support to East European Democracies and was Deputy Director of the Office of Independent States and Commonwealth Affairs.

Our next witness is Hafiz Pashayev, Azerbaijan's first Ambassador to the United States. A physicist by training, Ambassador Pashayev took up his post in Washington in February 1993. Before embarking on his diplomatic assignment, Ambassador Pashayev was the Director of the Metal Physics Laboratory in the Physics Institute of Azerbaijan's Academy of Sciences and taught physics at Baku State University. He is the author of more than 120 books and articles.

Accompanying Ambassador Pashayev is Shahin Aliev, the Director of the Legislative and Legal Expertise Issues in the Office of the President. Mr. Aliev was a Professor in the Law Department at Azerbaijan's State University and was Deputy Director of Parliament's Legal Department. Mr. Aliev has been directly involved in the drafting of the laws on the Central Election Commission and the election, as well as in discussions on the laws with the OSCE.

Our third panel offers a wide spectrum of Azerbaijan's leading opposition parties. First is Nazim Imanov of the Azerbaijan National Independence Party. Etibar Mamedov, Chairman of the Party, could not attend and so he sent his most trusted representative. An economist, Professor Imanov has been a Member of Parliament since 1995. Unfortunately, he cannot remain to answer questions as he must return immediately to Azerbaijan, but we are pleased he was able to come.

Next is Abulfaz Elchibey, former President of Azerbaijan and now Chairman of the Popular Front Party. An Orientalist by training, he served time in prison during the Soviet era for his dissident, nationalist activity. A founder of the Popular Front in the late 1980s, he was its Chairman and in June 1992, became Azerbaijan's first democratically elected president. In June 1993, Mr. Elchibey left Baku when his government was overthrown, returning in 1997. He is a Co-Chairman of the Democratic Congress.

Next we have Isa Gambar, Chairman of the Mussavat Party. Mr. Gambar is a historian by training. He was also one of the founders of Popular Front, and served as Deputy Chairman in 1991-1992. A Member of Parliament from 1990-1995, he was Speaker of Parliament from 1992- 1993 and Acting President of Azerbaijan in May-June 1992. Mr. Gambar is today a Co-Chairman of the Democratic Congress.

Our next witness is Rasul Guliev, Co-Chairman of the Azerbaijan Democratic Party. He was General Manager of an oil refinery, and was named Vice President of the State Oil Company in 1992 and Deputy Prime Minister in 1993. Mr. Guliev was a member of parliament from 1990--1997, and Speaker from 1993 to September 1996, when he resigned, left Azerbaijan and became an opposition politician. Mr. Guliev is President of the Rasul Guliev Foundation for Ecology and Democracy.

For our final panel, we have invited Dr. Audrey Altstadt and Cathy Fitzpatrick. Dr. Altstadt is a Professor of

History at the University of Massachusetts at Amherst. A specialist on Azerbaijan, she is the author of *The Azerbaijani Turks: Power and Identity Under Russian Rule* and has written many articles on Azerbaijani history and contemporary politics. Dr. Altstadt has also been a consultant on Azerbaijan for the U.S. Government and private sector, and President of the American Association for Central Asian Research.

Catherine Fitzpatrick has been the Executive Director of the International League for Human Rights since October 1997, and is the League's Main Representative at the United Nations. From 1996-1997, she directed the Central/East European and FSU program of the Committee to Protect Journalists. Previously, she was a consultant on human rights and other projects for various foundations and from 1981-1990, directed research for Helsinki Watch. She has also translated into English several dozen works, including books by Boris Yeltsin and Eduard Shevardnadze