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Testimony :: Rasul Gouliev

Co-Chairman - Azerbaijan Democratic Party

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"Elections, Democratization and Human Rights in Azerbaijan"

Mr. Chairman and Members of the Helsinki Commission, first of all I want to express my appreciation on behalf of the Azerbaijan Democratic Party (ADP) and the thousands of Azeri citizens who support the ADP for holding these hearings around a topic that is crucially important for the future fate of the Azerbaijani nation. During the past several years I have met with many Members of Congress seeking congressional hearings about the situation in Azerbaijan. All have agreed that more needs to be done to educate US policymakers about the true situation in Azerbaijan, and that hearings by the Helsinki Commission would be an important step in raising awareness about what is happening today in Azerbaijan. I am grateful to you, Mr. Chairman, and to your colleagues who have worked to make today's hearings a reality.

I am Rasul Gouliev, former Speaker of the Parliament of Azerbaijan (1993-1996) and Co-Chair of the Azerbaijan Democratic Party. I resigned from my post as Speaker in 1996 in protest against the human rights violations, censorship policies, widespread use of bribery and corruption, and anti-democratic policies of the current Aliyev regime. For most of my professional life I was a worker at Baku Oil Refinery. I joined the refinery as a foreman in 1971, and became General Manager. In 1992 I was named Vice President of SOCAR, the State Oil Company of Azerbaijan Republic. Since resigning as Speaker and coming to the United States where I live in exile, I have authored three books: Oil and Politics; Path to Democracy; and The Purpose of Our Struggle.

I very much appreciate the opportunity to testify before you today. Yet at the same time I feel a great sense of sadness that my motherland - Azerbaijan - has not yet been able to realize the promise of democracy which we anticipated when we gained our independence after the collapse of the Soviet Union. I am deeply troubled by the fact that my country is ruled by a dictatorship regime that continuously and ruthlessly violates human rights.

Today I would like to paint a picture for you in words of what life is like in Azerbaijan - how Heidar Aliyev came to power and maintains his stranglehold on power. I would like to tell you about the living conditions of the Azeri people, including those who have been forced to leave their homeland; about the situation with respect to political prisoners; corruption and bribery; about barriers to achieving democracy and respect for human rights in Azerbaijan, and about issues around the upcoming parliamentary elections.

I would like to ask that my complete statement be made part of the hearing record, and I will summarize it for you now.

When Azerbaijan secured its independence from the Soviet Union in 1991 we had much hope that democracy

would be established in our nation. Unfortunately, former KGB ruler of Azerbaijan, Heidar Aliyev, took over our country in a 1993 coup and has increased his firm grip on power in the years since. We do not have separation of powers in Azerbaijan such as you enjoy in the United States. There is no independent parliament, judiciary, or local government in Azerbaijan - all are appointed and under the absolute control of Heidar Aliyev. The Chairmen of the police, prosecutors, heads of administrative offices, directors, even deans, presidents, and department chairs of universities, institutes, and technical colleges are all appointed by Heidar Aliyev. In summary, no position exists in Azerbaijan that can express its own will, or to which citizens can gain appointment through elections. The right to elect and be elected in Azerbaijan has been totally seized.

Out of a population of 7 million people, two million have been forced to leave in order to find employment to support their families, and over one million are internally displaced persons who live in deplorable conditions in refugee camps as a result of the aggression by Armenia over Nagorno Karabakh and neighboring territories within Azerbaijan. In this regard I want to make a small digression and on behalf of Azerbaijan Democratic Party and all Azeri people I want to appeal one more time to US Congress to abolish section 907 of Freedom Support Act which prohibits US aid to Azerbaijan: the nation which has been subjected to aggression by another state should not and must not be treated so unfairly. In the midst of rich natural resources, there are extreme levels of poverty. Human rights abuses have been documented by international organizations and by the US State Department. They include suppression of the opposition and the media, and beatings and arrests of opposition leaders, journalists, and their relatives.

There has been a series of falsified elections since the coup that brought the Aliyev regime to power in 1993. Parliamentary elections in 1995, presidential elections in 1998, and most recently, municipal elections held in December of 1999 have all been falsified and failed to meet international standards, as has been documented by international elections observers. Serious and numerous irregularities included ballot stuffing, forged signatures on voter lists, problems with vote counts, inappropriate conduct by the election commissions, and restrictions on the access of international observers to the vote count process. Pre-election environments that have prevented free and fair elections included restrictions on freedom of assembly, use of excess force by police during political rallies where leaders of opposition parties have been beaten and arrested, and interference with television broadcasting to restrict the ability of the opposition to reach the electorate. Up until the present day the Central Election Committee, which is also controlled by the Aliyev regime and which is responsible for the conduct of elections has not publicly announced the election results and protocols.

Now a fourth election is on the horizon. The next round of parliamentary elections is due to be held in November and we have grave concerns that this election too will be falsified. A major issue continues to be the control of the Central Election Committee by the Aliyev regime.

The obvious question comes up: Why has the Azerbaijani nation, which fought as hard as Baltic states to escape from the captivity of the Soviet Empire in the processes that started in 1988, that sacrificed hundreds of lives for its independence in the turmoil of January, 1990, fallen to such a deplorable state and why can it not struggle decisively for human rights and democracy?

There are many reasons for this. The main one, in my opinion, is the repressive program of Heidar Aliyev. He brought back into usage from Stalin days the term "enemy of the state." There is not a single leader with an opposing view who has not been called "enemy of the state" by Heidar Aliyev at least once.

From 1996 to the present day thousands of innocent people have been subjected to Aliyev's investigations, including being sent to prison where they have ended up in isolation and subjected to torment and torture. The persecution and repression of citizens works like a conveyor belt: charge with fictitious crime - investigation - isolation - torture - trial - prison. Some of those arrested who are able and who agree to pay bribes can save themselves. When there is no more room in the prisons an amnesty is declared with a decree from the president, room for new prisoners is created, and the first stage of the conveyor belt restarts. Today it is no secret that in Azerbaijan thousands of innocent people have been arrested under false accusations such as threatening the life of the president, participation in terrorist acts, or embezzlement of the nation's property. These are the standard charges used to throw innocent citizens into prison. And while the death penalty has been officially abandoned in Azerbaijan, many prisoners have died mysteriously in prisons, either because of torture or because medical help

was withheld from them.

This situation, coupled with the inability of suspect citizens to find jobs, has caused over two million Azeris - out of a population of 7 million -- to leave the country. They are now scattered over many countries of the world. The resistance of the people against the anti-democratic system has been weakened because of the fact that such a large proportion of our citizens has been forced to leave their country.

In summary, there are three main barriers to participation in the struggle for democracy and human rights in Azerbaijan:

First, the conveyor-like repression that has intimidated citizens in an effort to make them obedient.

Second, the forced displacement of many of Azerbaijan's intellectuals and leaders from the country.

Third, the fact that there is no middle class in Azerbaijan that can struggle for the rights and freedom of the people. Why? Because the level of corruption and bribery in Azerbaijan is so high - 4th among all countries of the world - that the ruling regime is enriched and lives in extreme wealth, while the rest of the population lives at a level of poverty or beggary.

Barriers to achieving democracy extend beyond ordinary citizens even to our parliament. The very small number of members of parliament representing the opposition is not even allowed to meet with the electorate. Even the members of parliament from the president's own party - the New Azerbaijan Party - cannot meet with the electorate without his permission. Only two members of parliament, Aliyev's son Ilham Aliyev and his brother Jalal Aliyev, are excluded from this rule and are able to meet the electorate. And the parliament's right to pass laws has been restricted. The president has placed a prohibition on one of parliament's important functions - the right to control the state budget.

A familiar argument made by the Aliyev regime is the thesis that "it took the United States 200 years to achieve democracy." I wonder what he means when he says 200 years? Maybe he thinks that free and fair elections in America have been conducted only since the 1990's? In my opinion, regardless of any excuses, falsification of elections has no connection with democracy.

Some commentators, in trying to note a positive step toward democracy of the Aliyev regime, point to the abolition of censorship. Censorship was formally abolished just prior to the flawed 1998 presidential elections, but then immediately informally re-instituted after those sad elections.

In Azerbaijan the government has a monopoly on materials necessary for publishing newspapers, including the paper itself and the print materials. The government has raised the cost of paper to such an extent that today the price of newspapers is several times as much as those published in America or western countries. And try to imagine what level of opportunity there is for a citizen with a \$20 per month salary to buy a newspaper?

Secondly, groundless accusations have been brought against independent newspapers and individual journalists by the government. Presidentially controlled courts have leveled astronomical fines against them that have effectively put them out of business. Pressure and repression against journalists is a regular occurrence in Azerbaijan.

Television and radio channels in Azerbaijan are under the control of the government. The three television channels and two radio channels in Azerbaijan are busy praising the Aliyev regime 24 hours a day. Transmission by opposition members is not allowed, so in effect, the Aliyev regime has converted television and radio into a means of propaganda against opposition forces and those struggling for democracy. One relatively independent "SARA" television channel attempted to operate in Azerbaijan, but it was shut down by the government after only three

months.

As you know, the next round of parliamentary elections is due to be held this coming November. In order for these elections to be free and fair and to reflect the real will of the people, agreement on two election laws is essential. Time is running out, as these laws are being considered by the presidentially controlled parliament this month for "discussion" and confirmation," and the parliament is scheduled to adjourn in the next several weeks. The laws are "On The Elections To Milli Mejlis Of The Republic Of Azerbaijan" and the law "On The Central Election Committee."

The importance of the relationship of these laws to the issue of free and fair elections cannot be overstated. The Central Election Committee is currently controlled by the government, and the fact that Heidar Aliyev will not agree to a Central Election Committee that has the confidence of those wishing to participate proves once again that he wants to cheat the people of his own nation and the whole world society as well. Both laws create insurmountable barriers for the parties and persons he opposes to participate in the elections and both create opportunities for falsifying the results of the elections once again.

There are many questions that require answers:

- Why does Aliyev not want to create a Central Election Committee on a parity basis so that it has the confidence of those who want to participate in the elections?
- Why has the declaration of the results and protocols of the recent elections been prevented?
- Why is Aliyev opposed to increasing the number of international observers in the November elections?
- Why does Aliyev move police forces and use violence against the citizens who want to hold peaceful rallies and demonstrations demanding free and fair elections?

I can only say that anyone believing that he enjoys the support of the nation would not rule the state in such an anti-democratic manner.

As necessary as air and water are for us, it is that necessary for elections in Azerbaijan to be conducted fairly, that they be transparent, that people have the right to express their ideas freely and independently. A democratic future for Azerbaijan can start with these elections.

What do we want?

- We want an end to the tragedies that the Aliyev regime has brought to Azerbaijan.
- We want an end to the situation where the average salary of the Azerbaijani citizen is only \$200 per year.
- We want an end to the situation where over 90 percent of the population lives in poverty, while people close to Heidar Aliyev live in luxury and make millions as a result of corruption and bribery.
- We want an end to foreign investors leaving our country because of the astounding level of corruption and

bribery.

- We do not want our citizens who think differently than those in the government to be arrested and charged with "crimes" that they did not commit.

- We want an end to a situation that crushes people's hope for a better tomorrow by dragging the nation into destitution today.

What specifically do we want with regard to the upcoming elections?

- We want approval of election laws and a Central Election Committee that will enable the citizens of the country to express their ideas freely and independently, not laws that create inevitable opportunities for falsification of the results of the elections.

- We want television and radio, which are financed by the taxes collected from the Azerbaijani nation, to be independent and to allocate transmission time so that the views of the opposition can be aired.

- We want an end to repression and fictitious criminal cases against those who stand in opposition to the current regime.

- We want the number of international observers to be increased sufficiently and for their opinion to be respected.

- We want elections to be held in Azerbaijan to be democratic, free and fair. If we can achieve this with your help, I assure you that within a very short time Azerbaijan will become the stimulator of democracy in the Middle East and Central Asia.

- We want the restoration of the territorial integrity of Azerbaijan, provision for rule by law, and an increase in the standard of living of our citizens through the achievement of economic development and full participation of citizens in the economy.

Mr. Chairman and members of Helsinki Commission, we realize that those changes should be done for the people of Azerbaijan and by the people of Azerbaijan only through democratic methods. And although for the last seven years the Aliyev regime has done everything possible to destroy the opposition, not only has the opposition been able to survive but also to continue its struggle for democracy more and more vigorously -- this fact itself shows the desire of the Azeri people for democracy and the possibility for its rapid achievement. We are doing all we can in this struggle, and we ask for your help. And may God be with us.