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BACKGROUND PAPER ON
REFUGEES AND ASYLUM SEEKERS FROM
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1. Brief Historical Background¹

The Republic of Azerbaijan was declared independent in 1991. Before independence, Azerbaijan was one of the fifteen Soviet Socialist Republics of the former USSR.² The failure of the August 1991 coup d'état in Moscow led to renewed calls for independence. In December 1991, the Parliament of Azerbaijan declared independence and the country became a member of the United Nations in March 1992.³

As of January 1998, the population of Azerbaijan was given as 7,6 million⁴, reportedly the population was 8 million, as of October 1999. In 1989, Azeris constituted 82.7% of the population of the Republic.⁵ The rest of the population, at the time, was made up of three significant minority groups: equal numbers of Armenians and Russians (each about 5.6%) and Dagestani (3.4%, mostly Shiite Lezghins).⁶ The International Organisation for Migration (IOM) in 1996 estimated the emigration of the Russian minority from Azerbaijan to the Russian Federation at 165,000 between 1990 and 1996.⁷ Following the pogroms of Armenians in Sumgait and Baku in 1990 and the ethnic conflict over Karabakh, the Armenian population of Azerbaijan virtually ceased to exist⁸, with the exception of the Armenian community of Azerbaijan still living in the separatist Nagorno-Karabakh region.⁹ Reportedly, a small number of elder Armenians and mixed couple are also remaining in Azerbaijan.¹⁰ The country also hosts a small minority of Tats or Mountain Jews (10,000), an Iranian people who converted to Judaism.¹¹

According to the 1989 census, Nagorno-Karabakh's population of 185,000 was approximately 75% ethnic Armenian and 25% Azeri. Both Armenia and Azerbaijan argue over the history of Nagorno-Karabakh, which was an autonomous *oblast* in Azerbaijan by Stalin's decision, in 1923. Armenians living in Karabakh allege that they suffered discrimination and had little decision-making power. In 1988, demonstrations in both Yerevan and Stepanakert called for the union of Armenia and Nagorno-Karabakh. Violence quickly broke out, degenerating into a full-scale conflict by early 1992.¹²

By mid-1992, Karabakh Armenian troops had forced out all of Nagorno-Karabakh's Azeri population. The Armenian army sided with Karabakh Armenian troops and made territorial advances deep into Azerbaijan, occupying a fifth of Azeri territory by October 1993, and leading to internal unrest that contributed to two presidential changes.¹³ In 1998, UNHCR reported that over a million people were forced to flee from Nagorno-Karabakh to Azerbaijan itself (684,000), from Armenia to Azerbaijan (185,000) and Azerbaijan to Armenia (299,000)¹⁴.

¹ This paper is an update to the Background Paper on Azerbaijan prepared by CDR in September 1995, thus focuses on events since 1996.

² The Europa World Year book 1999, 525

³ Eastern Europe and the CIS, 1999, 154

⁴ The Economist Intelligence Unit (EIU), Country Profile, 1998-99, [internet]

⁵ Eastern Europe and the CIS, 1999, 152

⁶ The Statesman's Year Book 1998-1999, 1998, 199

⁷ International Organisation for Migration, CIS Migration Report 1996, 23

⁸ Background Paper on Refugees and Asylum Seekers from Azerbaijan, UNHCR/CDR, 1995, 9

⁹ Radio Free Europe/Radio Liberty (RFE/RL), Facts and Figures on Azerbaijan, 1999, [internet]

¹⁰ US Department of State, 1997 Country Report, 8, [internet]

¹¹ Ethnic Groups Worldwide, David Levison, 1998, 202

¹² The Europa World Year Book 1999, 525

¹³ Eastern Europe and the CIS, 1999, 158

¹⁴ UNHCR, Displacement in the CIS, May 1996

Since the May 1994 cease-fire, Armenian forces occupy some 20 per cent of Azerbaijan's territory and although some incidents have been reported, there has been no sign of renewed hostilities. Nevertheless, no political solution has yet been found.¹⁵

The refugee population in Azerbaijan, at the end of 1998, included 180,000 Azeris who fled from Armenia, mostly in 1988. There were also some 45,000 Meskhetian Turks who fled from Uzbekistan in 1989. Internally displaced Azerbaijanis numbered at least 620,000¹⁶. In all, an estimated 10 to 15 per cent of Azerbaijan's total population of 7.6 million are estimated to be refugees or displaced persons.

2. Developments since 1996

The period covering 1995 to 1999 has been relatively stable. In 1993, Heydar Aliyev was elected president of Azerbaijan. Since then, he has been consolidating his power and has established "unprecedented political stability"¹⁷. This political continuity seems to have brought back order to the country, which was on the verge of disintegration as a result of its defeat in the Nagorno-Karabakh conflict and the collapse of the Communist system.¹⁸

A new constitution was adopted in November 1995 by public referendum.¹⁹ Under the constitution, Azerbaijan became a presidential republic with a one-chamber parliament. The Milli Majlis (National Council) was also elected at the same time. Members of the ruling party, Mr. Aliyev's New Azerbaijan Party (NAP, founded in 1992), and their allies won a clear majority of seats.²⁰ Foreign observers of the OSCE/UN joint observation team had "serious doubts as to the fairness of the election" and stated that these elections "had in many respects not corresponded to international norms".²¹ The report cited the exclusion of several parties from participation and interference from local authorities or police in polling stations. Of Azerbaijan's 31 officially registered parties, only eight were authorised to participate. Among these, only two were opposition parties: the Popular Front of Azerbaijan (PFA), recently re-legalised, and the National Independence Party (NIP).²² The next legislative elections are to take place in November 2000.

Local elections initially planned to be held in 1997, as one of the conditions for admission to the Council of Europe²³, but have been delayed.²⁴ The municipal elections are to take place on 12 of December 1999. It is still unclear if the opposition is going to boycott the election because of possible violations of the election law.²⁵

¹⁵ RFE/RL, 16 June 1999 [internet]

¹⁶ UNHCR, Global Appeal 1999, 1998, 228

¹⁷ EIU Country Profile 1998-99, [internet]

¹⁸ Caucasian Regional Studies, Vol. 2 (1), 1997

¹⁹ Eastern Europe and the CIS 1999, 155

²⁰ Inter-Parliamentary Union: Azerbaijan Parliament, 1999 [internet]

²¹ OSCE/UN Joint Electoral Observation Mission, 1996

²² The Europa World Yearbook 1999, 526

²³ See section 3.1 on the National Legislative Context

²⁴ EIU Country Report, 3rd Quarter 1999, 7, [internet]

²⁵ RFE/RL, 27 August 1999 [internet]

According to the United Nations Human Development Report about 60 political parties were active in Azerbaijan in 1998. Out of this number, only 32 parties were registered at the Ministry of Justice of Azerbaijan. The largest and leading political party is the Yeni Azerbaijan (New Azerbaijan), which counts some 120,000 members in its ranks. It is the strongest party represented in the Parliament of Azerbaijan is the Yeni Azerbaijan, with an overwhelming majority of 60 deputies.

The main opposition force is the Democratic Congress, which unites eight opposition parties, two of which play leading roles: Musavat and Azerbaijan's People's Front Party (APFP). Opposition was represented in the Parliament of Azerbaijan by the APFP (four deputies) and the Azerbaijan National Independence Party (three deputies). Other opposition parties, Musavat, the Civil Concord, the Party of Social Justice and the Democratic Party of Owners are represented in the parliament with one deputy each.

Authorities frequently prevent political parties critical of the Government from conducting indoor congresses and meetings as well outdoor gatherings.²⁶ However, the Government eased these restrictions beginning in May 1998 as preparation began for the October presidential elections. The Government permitted opposition parties and presidential candidates to organise some rallies but cited questionable security reasons to divert the rallies from the sites of their choice.²⁷

In 1998, Mr. Aliyev was re-elected president with 76.1 % of the votes.²⁸ Most opposition leaders boycotted the election, accusing the ruling party of manipulating the ballot.²⁹ Ex-president Abulfaz Elchibey and presidential candidate Etibar Mammedov agreed to link their parties (the PFA and the NPI) to protest against the result of the election.³⁰ The National Democratic Institute for International Affairs (NDI), member of an international election observer delegation, stated many improvements had been made in the election process, but that "the quality of the process fell short of the standards set forth in Azerbaijan's presidential election law and international standards for elections".³¹

Since the 75-year-old Mr. Aliyev underwent heart surgery in May 1999, in September 1999 questions about the country's future have been raised.³² The EIU stated that "the strength of Mr. Aliyev's grip on every aspect of policy is such that no-one can replace him even temporarily".³³ The question of the succession of the President has been raised repeatedly. Several personalities including Mr. Aliyev's son, Ilham, have been put forward by observers as possible successors to the head of State and head of the ruling party.³⁴ In spite of these rumours, on the 7 September 1999 BBC News reported that the President announced he was

²⁶ US Department of State, Country Report 1998, 13, [internet]

²⁷ Ibid

²⁸ EIU, Country Profile 1998-99, 6 [internet]

²⁹ BBC News, 12 October, 1998 [internet]

³⁰ AFP, October 23, 1998 [Lexis/Nexis: accessed 28 October 1998]

³¹ Statement of the NDI international election observer delegation, 1998, 6, [internet]

³² RFE/RL, 7 May 1999 [internet]

³³ EIU, 3rd quarter 1999, 7, [internet]

³⁴ Ibid., 4,

considering to stand for a third term and therefore would be a candidate for the 2003 presidential elections.³⁵

After a period of decline in the years 1988-1994, Azerbaijan's economy has been growing again. According to the World Bank, due to the more stable political situation and the cease fire in the conflict with Armenia, the government was able to implement an economic programme supported by the World Bank and the International Monetary Fund.³⁶ The programme had three principal components: economic liberalisation through removal of state control over prices and production, macroeconomic stabilisation and privatisation. The Parliament of Azerbaijan adopted about 30 laws on ownership, entrepreneurial activities and private enterprises, 13 tax laws, two banking laws and two agricultural reforms.³⁷ One of the aims of this programme was to rebuild the infrastructure in order to encourage private foreign investment and also to protect the oil-based economy from the effects of oil price fluctuation.³⁸ The improvements felt in the last five years are mainly the consequence of foreign investment in the oil sector.

The 1997 Country Report of the U.S. Department of State noted that "the overall economic situation of the average citizen remains precarious, although in urban areas a growing moneyed class with trade and oil-related interests has emerged".³⁹ In spite of a nearly completed land privatization, the absence of investment in the agricultural sector, largely due to inadequate banking regulations, and essentially because of the collapse of the industry, unemployment remain high in 1999 and consequently hinder significant integration of IDPs and refugees in the mainstream of the national community.

2.1 The Nagorno-Karabakh Conflict and Peace Initiatives

On 24 March 1992, the Organisation for Security and Cooperation in Europe (OSCE) became involved in the Nagorno-Karabakh conflict settlement. The "Minsk Group"⁴⁰ was created to find a political solution to the dispute. On 12 May 1994, the parties to the conflict⁴¹ agreed to observe an informal cease-fire, which has held since then, apart from some minor incidents.⁴² The Azerbaijan Turan news agency listed 40 violations of the cease-fire in the past five years. According to this news agency, 1'000 people were reportedly killed or injured on both sides.⁴³

In early 1996, a preliminary accord was reached, but was finally blocked by Karabakh Armenians. The accord provided for the withdrawal of Karabakh Armenians from occupied territories, except the Lachin corridor linking Armenia to Karabakh, allowing internally displaced persons (IDPs) and refugees to return under international monitoring. OSCE monitors were to be stationed in preparation for a three-thousand-strong peacekeeping force made up

³⁵ BBC News, 7 September 1999 [internet]

³⁶ The World Bank, countries: Azerbaijan, August 1998, [internet]

³⁷ UN Azerbaijan Human development Report 1998

³⁸ EIU, Azerbaijan 3rd Quarter 1999, 11, [internet]

³⁹ US Department of State, 1997 Country Report on Azerbaijan, 1998, 1, [internet]

⁴⁰ The group is composed of Armenia, Azerbaijan, Germany, Belorussia, the United States, France, Italy, the Russian Federation, Sweden, the Czech Republic and Turkey.

⁴¹ That is: Azerbaijan, Armenia and the Nagorno-Karabakh Armenians

⁴² OSCE- The conflict dealt with by the Minsk Conference, 2, [internet <www.osceprag.cz/e/f-min.htm>]

⁴³ BBC News, 19 May 1999 [internet]

from different European countries and the United States. Talks on the final status of Karabakh were then to be held. The accord was however rejected by Karabakh Armenians, who would only agree to a withdrawal in exchange for definition of their status.⁴⁴

In December 1996, at the Lisbon Summit of the OSCE, a statement issued by the Chairman of the Minsk Group, emphasised three principles for the settlement: the territorial integrity of Armenia and Azerbaijan, the definition of the legal status of Nagorno-Karabakh and guaranteed security for Nagorno-Karabakh and its population.⁴⁵ Armenia vetoed reference to the Nagorno-Karabakh and only accepted that the Chairman in Office annex a declaration referring to the outgoing negotiation, to the Summit declaration.

In 1997, the OSCE Minsk Group arranged to split the approach into two stages. The first one would deal with the retreat of Armenian military forces from Azeri occupied territory, the lifting of sanctions on Armenia and the return of refugees. The second part of the peace process would deal with the final status of Karabakh.⁴⁶ In 1998, the authorities of Azerbaijan rejected a proposal, made by the Minsk Group for the creation of a "common state" between Karabakh and Azerbaijan⁴⁷.

In February 1998, the Armenian President Mr. Ter-Petrosian resigned, following criticism of his acceptance of the staged peace process proposed in 1997 by the Minsk Group. The President had publicly admitted that Nagorno-Karabakh could neither expect to gain complete independence, or be reattached to Armenia.⁴⁸ His successor Mr. Robert Kocharian, the former Armenian Prime Minister since March 1997, was also President of Nagorno-Karabakh from November 1995 to March 1997.⁴⁹

In early 1999, the U.S. Secretary of State, Madeleine Albright made further suggestions on the draft peace plan. In addition to proposals similar to those of the 1996 Lisbon summit⁵⁰, she emphasised the return of displaced people to their homes.⁵¹

In June 1999, serious clashes between Armenian and Azerbaijan forces along the Nagorno-Karabakh border raised the spectre of renewed war.⁵² The EIU reported in September 1999 that this has been the "biggest clash since the cease-fire was signed in 1994", adding "accounts of events differed, but it is clear that hundreds of troops took part, unlike in previous clashes, in which individual units have fired at each other along the frontline. It was unclear whether the incident was another such confrontation which got out of hand, or whether it forebodes a new phase of escalating violence".⁵³ In spite of these incidents the cease-fire was upheld.

⁴⁴ European Platform for Conflict Prevention and Transformation: Nagorno-Karabakh- Pawn in the major power game, 13 January 1999, 2, [internet]

⁴⁵ Ibid.

⁴⁶ Le Monde Diplomatique, December 1998 [internet]

⁴⁷ RFE/RL, 18 March 1999 [internet]

⁴⁸ The Europa World Year book 1999, 528

⁴⁹ Ibid.

⁵⁰ That is: territorial integrity of the south Caucasus states, liberation of the occupied territory, introduction of an international peacekeeping force and formulation of the status of Karabakh

⁵¹ RFE/RL, 16 July 1999 [internet]

⁵² RFE/RL, 16 June 1999 [internet]

⁵³ EIU, 3rd Quarter Country Report, 7, [internet]

In July and August 1999, agreements of principles were made on strengthening the cease-fire regime on the Nagorno-Karabakh border and on continuing the peace talks⁵⁴, as the presidents of Armenia and Azerbaijan, Mr. Kocharian and Mr. Aliyev, met several times in Geneva to discuss a dispute settlement. Mr. Aliyev on his return home stated that "Azerbaijan and Armenia are determined to find a political solution."⁵⁵

At the same time, a call was also made, by both presidents, for the resumption of negotiation within the framework of the Minsk Group.⁵⁶ These direct talks between Armenia and Azerbaijan focused on specific areas, in order to "preserve and build an atmosphere of incipient trust, rather than to conceal the magnitude of the differences between the two sides."⁵⁷ No consensus has however been reached so far.

2.2 Refugees and Internal Displaced Persons (IDPs)

The political settlement of the Nagorno-Karabakh conflict is essential for the return of the refugees and IDPs who fled the region since 1988. UNHCR's 1999 Global Appeal relates that "over the past four years, some 60'000 displaced persons were able to return to their former homes in war damaged regions along the Nagorno-Karabakh front line."⁵⁸ But, given the slowness of the peace process, it is very unlikely to foresee an early return of displaced persons to occupied areas of Azerbaijan.⁵⁹

A report of the Representative of the U.N. Secretary General on Internally Displaced Persons, Mr. Francis Deng discussing the situation of IDPs in the territory of Azerbaijan occupied by Armenians from Karabakh, highlights the difficulty of giving humanitarian assistance to these internally displaced, because the U.N. and other international humanitarian organisations have no access close to the Azerbaijani frontline.⁶⁰

On the general situation of IDPs, and the search for durable solutions, this account describes that:

"It became clear over the course of the mission that return is the common and overriding goal of the authorities and the displaced alike. Indeed, return would appear the preferred solution for the majority of the displaced. However, it is difficult to predict when peace will materialise and create the possibility for large-scale return to occur. Under these circumstances, tensions arise between, on one hand, hoping for a peaceful resolution to the conflict and return and, on the other, adequately addressing the

⁵⁴ RFE/RL, 23 August 1999 [internet]

⁵⁵ Reuters, 23 August 1999 [internet]

⁵⁶ RFE/RL, 23 August 1999 [internet]

⁵⁷ RFE/FL Caucasus Report, 26 August 1999 [internet]

⁵⁸ UNHCR 1999 Global Appeal, 228

⁵⁹ Ibid.

⁶⁰ United Nations, Economic and Social Council, Commission on Human Rights: Specific Groups and Individuals: Mass exodus and displaced persons, Addendum to the report of the Secretary General's Representative, 25 January 1999(E/CN.4/1999/79/Add.1), 53

pressing needs of the displaced for a decent and dignified life. The challenge for the Government and the international community is to reconcile these two objectives.”⁶¹

The Norwegian Refugee Council in 1998 described the living conditions of the refugees and IDPs as being precarious. It states that “the majority still live in misery in camps and collective centres, in abandoned railroad cars and demolished houses. The health care-, education- and job options are considerably inferior to that of the rest of the population, which is reflected in a higher rate of illness, a lower level of education and severe social problems.”⁶² The Human Rights Centre in Azerbaijan asserts that as a result of the incapacity of the authorities to meet the refugees and displaced persons’ needs, such as work, food, health or education, these refugees and displaced persons have to depend on their own resources and on foreign humanitarian aid.⁶³

3. Review of the General Human Rights Situation

3.1 International Legal Framework

Azerbaijan has acceded to a number of international instruments.

The status of accession by Azerbaijan as a state party to the international conventions is as follows:

Convention	Date of Accession
International Covenant on Economic, Social and Cultural Rights (1966)	13 August 1992
International Covenant on Civil and Political Rights (1966)	13 August 1992
Convention on the Rights of the Child (1990)	13 August 1992
Convention relating to the Status of Refugees (1951)	12 February 1993
Protocol to the 1951 Convention relating to the Status of Refugees (1967)	12 February 1993
Convention on the Elimination of All forms of Discrimination against Women (1979)	10 July 1995
Convention relating to the Status of Stateless Persons (1954)	16 August 1996
Convention on the Reduction of Statelessness (1961)	16 August 1996
Convention on the Prevention and the Punishment of the Crime of Genocide (1948)	16 August 1996
International Convention on the Suppression and the Punishment of the Crime of Apartheid (1973)	16 August 1996
Convention on the non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity (1968)	16 August 1996
International Convention on the Elimination of all forms of Racial Discrimination (1965)	16 August 1996
Convention against torture and other cruel, inhuman or degrading treatment or punishment (1984)	16 August 1996

Source: UNHCR *REFWORLD*, Legal Databases, July 1999

⁶¹ Ibid., 4

⁶² Norwegian Refugee Council, Annual report 1998, 2, [internet]

⁶³ Eldar Zeynalov, Refugees and displaced persons in Azerbaijan, February 1999, [internet]

Azerbaijan is not a state party to, *inter alia*:

- the 1966 Optional Protocol to the International Covenant on Civil and Political Rights
- the 1952 Convention on the Political Rights of Women
- the European Convention for the Protection of Human Rights and Fundamental Freedoms

Source: UNHCR *REFWORLD*, Legal Databases, July 1999

3.2 The National Legislative Context

In 1996, Azerbaijan applied for membership of the Council of Europe and is an observer to the Council.⁶⁴ In order to become a member, the country has to comply with the human rights standards laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms.⁶⁵ Although new legislation was adopted in the period covering 1996 to 1999⁶⁶, Azerbaijan has not yet been accepted as a full member of the Council.

The 1998-99 EIU Country Profile states that the Constitution of Azerbaijan, adopted in 1995, provides the legal basis for developing democratic institutions, but "there has been little scope for political culture to develop and democratic principles have yet to evolve."⁶⁷

The requirements of the Council of Europe's Statute are "the implementation of the principles of pluralist parliamentary democracy, respect for human rights and the rule of law."⁶⁸ The 1998 Annual Report of the International Helsinki Federation for Human Rights quoting a 1997 report of lawyers, sent by the Council of Europe, reveals that the internal legislation or practice did not meet these standards.

In the course of 1998 several measures were taken to implement human rights in the national framework. In February 1998, the Parliament, following a proposal from the President, abolished the death penalty.⁶⁹ The President also issued a decree on "measures to ensure human rights and the rights and freedoms of citizens", which contained proposals to parliament on promoting and protecting human rights.⁷⁰ In June 1998, a "State programme for the defence of human rights" was issued, in which the intention of ratifying the first and second optional Protocols to the International Covenant on Civil and Political Rights was announced.⁷¹ Mr. Aliyev also officially abolished censorship in August 1998.⁷² Even after all these measures were taken, a January 1999 letter, from Human Rights Watch to the Council of Europe's

⁶⁴ Council of Europe, Committee of Ministers, Resolution (96) 32 on Azerbaijan [internet]

⁶⁵ International Helsinki Federation for Human Rights, Annual Report 1998,1, [internet]

⁶⁶ See also in annex the International Legal Framework

⁶⁷ EIU 1998-99 Country Profile, 6, [internet]

⁶⁸ Council of Europe, Committee of Ministers, Resolution (96) 32 on Azerbaijan [internet]

⁶⁹ AFP, 10 February 1998 [Lexis/nexis: accessed 11 February 1998]

⁷⁰ Amnesty International, Annual Report, 1999, [internet]

⁷¹ Ibid.

⁷² International Helsinki Federation for Human Rights, Annual Report 1999, [internet]

Special Rapporteur, emphasised that reforms were urgently needed before Azerbaijan's admission in the Council of Europe.⁷³

In September 1998, the Parliament of Azerbaijan adopted a new Law on Citizenship. This law was prepared in close collaboration with the Council of Europe and UNHCR.⁷⁴ The Council and UNHCR organised series of training on citizenship issues and, as the law was adopted, a seminar on implementation was also organised. The Law provides, *inter alia*, for automatic Azerbaijani citizenship to any person who was living lawfully on the territory of the Republic before 1992. This provision affects directly all refugees from Armenia as well as other groups such as Meshketi Turks who arrived in the country from Central Asia in 1988 and 1989. The law excludes *de facto* refugees who left for Armenia before 1992.⁷⁵

Azerbaijan has adopted a new Law on Refugees and IDPs in May 1999.⁷⁶ This Law was prepared in close collaboration with UNHCR. The mechanism of determination of refugee status was not still worked out. UNHCR continues to carry out the eligibility interviews with asylum seekers originating outside of CIS countries.⁷⁷

3.3 General Respect for Human Rights

According to the Constitution every citizen can "enjoy inviolable, undeniable, and inalienable rights and freedoms."⁷⁸ Under Article 26, "the State will ensure the protection of human rights and freedoms."

In July 1999, the International Helsinki Federation for Human Rights summarised the current situation of human rights in Azerbaijan saying that "despite positive developments in 1998, such as the abolition of censorship, Azerbaijan's human rights record fell short of a great number of requirements under the ICCPR [International Covenant on Civil and Political Rights], ECHR [European Convention for Human Rights] and other international instruments. Numerous individuals were illegally arrested and detained, and the right to association was violated. Opposition parties were not registered, their supporters were put under pressure and insulted, both verbally and physically, and their complaints to courts and the Public Prosecutor's Office remained unanswered."⁷⁹

Human Rights Watch, in an August 1999 report, relates that "a plethora of victims, their relations and attorneys points to a systematised pattern of physical abuse and torture of those detained on suspicion of politically motivated crimes, such as the participation in attempts to

⁷³ HRW - Letter to special Rapporteurs/ Azerbaijan, January 1999, [internet]

⁷⁴ U.N. Economic and Social Council, Commission on Human Rights, Letter from the permanent Representative of Azerbaijan to the U.N. Commission on Human Rights, 3 March 1999, (EC/CN.4/1999/122)

⁷⁵ Eldar Zeynalov, Refugees and Displaced persons in Azerbaijan, [internet]

⁷⁶ UNHCR 1999 Mid-Year Progress Report, 1999, Geneva, 117

⁷⁷ UNHCR 1998 Global Report, 411

⁷⁸ Article 24, second chapter, section 3, The Constitution of the Republic of Azerbaijan, November 1995, UNHCR *REFWORLD*, January 1999

⁷⁹ International Helsinki Federation for Human Rights, Annual Report 1999, 5 July 1999, 1, [internet]

overthrow the government, and common crimes.”⁸⁰ According to this study, political activists, journalists and people who demonstrated publicly against the government were arrested and many of these cases went to trial in 1996 and 1997. It is also said that “the trials of some of these individuals brought to light widespread allegations that the police and other security forces systematically tortured detainees to extract confessions and false testimony.”⁸¹

The 1998 Country Report on Azerbaijan of the U.S. Department of State reveals that members of the police have committed “numerous human rights abuses.”⁸² It also describes the judiciary as “corrupt, inefficient and subject to executive influence.”⁸³

Freedom of Speech

There is in Azerbaijan a large network of governmental/independent mass media organisations in Azerbaijan. As of February 1998, more than 500 mass media organisations were registered at the Ministry of Information and Press of Azerbaijan, including some 260 newspapers, 34 information agencies and 34 TV and radio companies.⁸⁴

The government of Azerbaijan lifted press censorship in 1998 but continues to exert influence over the media.⁸⁵ Authorities are imputed of having intimidated and threatened journalists, banned the printing of some newspapers, and restricted access to information.⁸⁶ The Government continues to deny broadcast licences to several organisations applying to open independent TV or radio stations. On the other hand, the Government tightly controls the official (national) TV and radio, which are the source of information for much population.⁸⁷

The largest independent publications are Ayna-Zercalo, Avrasya and Rezonans newspapers. Official (governmental) newspapers are Azerbaija, Khalg, Yeni Azerbaijan or Bakinsky Rabochy. The largest and most frequent opposition newspapers are Azadlig, Yeni Musavat, Millet and Hurriyet.⁸⁸ In November 1998, editors of independent newspapers started a hunger strike to protest against charges brought against several newspapers, including by Yeni Musavat, close to the opposition Musavat party, for having insulted the honour and dignity of the President.⁸⁹

Journalists were beaten by police or other governmental officials at different times. On September 12 1998, the police attacked 34 journalists as they were reporting on an opposition rally in Baku and also attacked 4 journalists as they were protesting peacefully the defamation trial against Yeni Musavat opposition party in November the same year.⁹⁰

⁸⁰ Human Rights Watch, Azerbaijan Impunity for torture, Vol. 11, No. 9 (D), New York, August 1999, 5 August 1999, 2

⁸¹ Ibid.

⁸² US Department of State, 1998 Country Report on Azerbaijan, 26 February 1999, 1, [internet]

⁸³ Ibid. 2.

⁸⁴ UN Azerbaijan Human development Report 1998

⁸⁵ IFEX, 8 December 1998 [internet]

⁸⁶ Report of the Trade Union of Journalists on the Media situation in Azerbaijan for 1998, January 2 1999

⁸⁷ UN Azerbaijan Human development Report 1998

⁸⁸ Ibid.

⁸⁹ International Helsinki Federation for Human Rights, annual report 1999, 4, [internet]

⁹⁰ US Department of State, 1998 Country Report, 26 February 1999, 6, [internet]

Freedom of Association

Article 54 of the Constitution gives every citizen the "right to participate without hindrance in the political life of the society and of the state." However, the Minister of Justice refused to register several political parties in the past years.⁹¹ Even when the Supreme Court ordered the Minister to register the Democratic Party of Azerbaijan (ADP), nothing happened.⁹² The U.S. Department of State reports that "the Government continued to harass parties critical of the Government by arbitrarily arresting party members, including close associates of opposition party leaders."⁹³ A BBC correspondent related that "since the [presidential] election, the authorities have increased the pressure on the opposition."⁹⁴ The 1998-99 EIU Country Profile on Azerbaijan states that Mr. Aliyev's "regime has been tarnished by cronyism and corruption, as it excludes other political and social groupings it is in danger of sowing the seeds of instability."⁹⁵

Freedom of Religion

The Constitution, under Article 48, allows persons to practice their religion with no restrictions and, under Article 18, there is no State religion. Religious practices of Shi'a and Sunni Muslims, Russian Orthodox Christians and Jews are tolerated. A law on 'foreigners and stateless persons prohibits religious "propaganda" by foreigners.⁹⁶

According to the 1998 Country Report on Azerbaijan of the U.S. Department of State, there is some evidence of prejudice against Azeris who have converted to Christianity and against non-Orthodox Christian groups.⁹⁷ Because of strong anti-Armenian feelings and the departure of the Armenian community, Armenian churches remain closed.⁹⁸

This report also relates that in July 1998 the police detained some 40 people belonging to the World of Life, a non-Orthodox religious group, after they held a religious meeting in a private apartment. Nine Azeris and three foreign nationals were found guilty of holding an illegal religious gathering and were subsequently fined. One of the foreigners was expelled from the country.⁹⁹

In September 1999, representatives of the Jehovah Witnesses Community, who have been denied official registration by the authorities, appealed to the Human Rights Centre in Azerbaijan stating they were discharged from their positions because of their belief.¹⁰⁰

⁹¹ International Helsinki Federation for Human Rights, annual report 1999, 4, [internet]

⁹² Ibid.

⁹³ US Department of State, 1998 Country Report, 26 February 1999, 5, [internet]

⁹⁴ BBC News, 16 November 1998 [internet]

⁹⁵ EIU, Country Profile 1998-99, 7, [internet]

⁹⁶ US Department of State, 1998 Country Report, 8, [internet]

⁹⁷ US Department of State- 1997 Country Report, 5, [internet]

⁹⁸ Ibid.

⁹⁹ US Department of State, 1998 Country Report, 8, [internet]

¹⁰⁰ Human Rights Centre of Azerbaijan, Press release, 7 September 1999

3.4 Groups at Risk

The 1998 Country Report on Azerbaijan of the U.S. Department of State relates that because of the complete departure of the Armenian population, the number of problems reported, between Azeris and Armenians in Azerbaijan, has decreased.¹⁰¹ It also reveals that Russians experience societal discrimination. Indigenous minorities, such as the Talysh and Lezgins, and Jews, according to this report, do not suffer discrimination, but Kurdish displaced persons and Meshketian Turks complain of discrimination.¹⁰² At the beginning of 1999, a national census took place in Azerbaijan, but the results have not yet been released. Thus, updated official population statistics cannot be provided.¹⁰³

Russians

In 1989, Russians in Azerbaijan represented six per cent of the population. The 1997 World Directory of Minorities asserts that it is not known how many have emigrated because of political instability and economic conditions.¹⁰⁴ It also reports that Russians "are not widely discriminated against in Azerbaijan."¹⁰⁵ However, the Council for Soviet Jews relates a Muslim revival and a rise of nationalism have exacerbated anti-Armenian and anti-Russian sentiments.¹⁰⁶

Armenians

An estimated 330,000 Armenians left Azerbaijan for Armenia¹⁰⁷ and (figures needed) left for the Nagorno-Karabakh oblast. Almost the entire Armenian Community now lives in Nagorno-Karabakh. The remainder of the Armenian population, out of Karabakh, is between 10,000 and 20,000.¹⁰⁸ Most of these people are of mixed descent or in mixed marriages.¹⁰⁹

Armenians are reported to have complained of discrimination in employment and harassment at schools and workplaces.¹¹⁰ The 1999 Amnesty International Annual Report reveals that ethnic Armenian civilians were held as hostages only on the ground of their ethnic origin and that ethnic Armenians were being held without any evidence of criminal charges or of criminal activity.¹¹¹

Jews

¹⁰¹ US Department of State, Country Report 1998, 13, [internet]

¹⁰² Ibid.

¹⁰³ United Nation International Committee on the elimination of racial discrimination, fifty-fifth session, summary record of the 1359th meeting, second periodic report of Azerbaijan, 19 August 1999, (CERD/C/SR.1359 26 August 1999)

¹⁰⁴ The 1997 World Directory of Minorities, 270

¹⁰⁵ Ibid.

¹⁰⁶ Union Council of Soviet Jews (UCSJ), Azerbaijan, 1 January 1998, 2, [internet]

¹⁰⁷ Refugees and Others of concern to UNHCR, 1997, 27, Statistical Unit, UNHCR, Geneva July 1998

¹⁰⁸ US Department of State, 1997 Country Report, 8, [internet]

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Amnesty International Report 1999, Azerbaijan, 1, 1999 [internet]

The Union of Councils for Soviet Jews (UCSJ) reports that there are 30'000 Jews living in Azerbaijan, of which three-quarters live in Baku¹¹². Freedom of emigration is guaranteed and many Jews have already left Azerbaijan for the US or Israel.¹¹³ The remainder have become assimilated into the surrounding Christian and Muslim populations¹¹⁴. Although there is no flagrant discrimination, some anti-Semitism, such as attacks on individuals or communal property, has been sporadically reported¹¹⁵.

Lezgins

Fifty per cent of these indigenous people are located in neighbouring Dagestan (north Caucasus) and 41% are in Azerbaijan. The World Directory of Minorities states that "Lezgins enjoyed better rights in the Autonomous Republic of Dagestan under the jurisdiction of the Russian Federation than in Azerbaijan itself, where they were subjected to assimilation policies."¹¹⁶ It adds that following the resettlement of some 102,000 refugees from the Karabakh conflict, in 1992, tensions between the Lezgins Community and the Azerbaijani authorities have increased.

Talysh

The 1996 US Department of State Country Report stated that Talysh do not generally suffer from discrimination.¹¹⁷ The World Directory of Minorities, using unofficial estimates, count between 200,000 and 300,000 Talysh.¹¹⁸ Ethnic Groups Worldwide, using 1989 Soviet Census figures reports of 22,000 only.¹¹⁹ No major event seems to have occurred since Ali Akram Hummatov declared in June 1993 a separate republic of Talysh-Mugansk and then was arrested in December the same year.¹²⁰

Kurds

The official number of Kurds in Azerbaijan in 1989 was 12'000, but unofficial estimates suggest up to 200'000.¹²¹ The majority of them were situated in the Lachin area between Armenia and Nagorno-Karabakh. In 1993, a part of this population was forced to flee because of the Karabakh military offensive. The representative of Azerbaijan to the U.N. Committee on the Elimination of Racial Discrimination declared that the Kurds, after being expelled from their homes, "were living in tents and camps elsewhere in the country."¹²²

¹¹² UCSJ, Azerbaijan, 2, [internet]

¹¹³ US Department of State, Country Report 1996, 3, [internet]

¹¹⁴ Ethnic Groups Worldwide, David Levison, 1998, 202

¹¹⁵ UCSJ, Azerbaijan, 2, [internet]

¹¹⁶ The 1997 World Directories of Minorities, op. cit., 270

¹¹⁷ US Department of State, Country Report 1996, 3, [internet]

¹¹⁸ Ibid.

¹¹⁹ Ethnic Groups Worldwide, David Levison, 1998, op. cit., 202

¹²⁰ ITAR-TASS, 9 December 1993

¹²¹ The 1997 World Directories of Minorities, 271

¹²² United Nation International Committee on the elimination of racial discrimination, second periodic report of Azerbaijan, (CERD/C/SR.1359 26 August 1999), 3

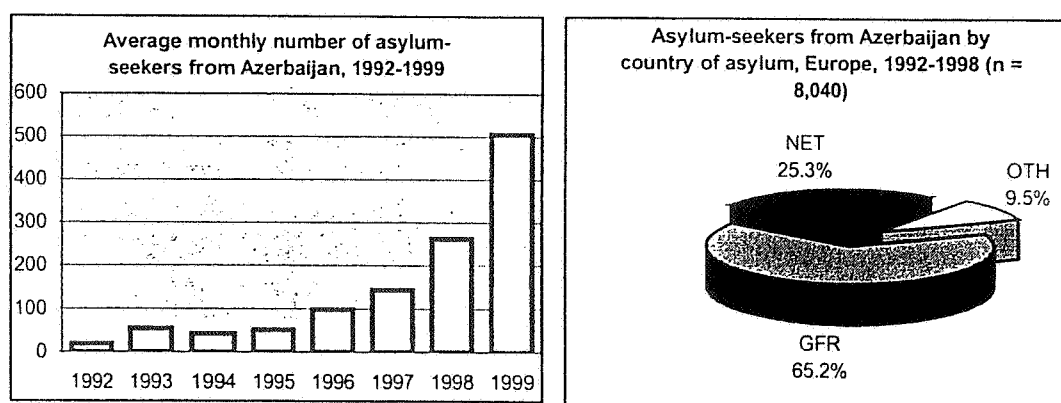
Meskhetian Turks

The global number of Meskhetian Turks in Azerbaijan is evaluated at 100'000 persons.¹²³ Meskhetian Turks entered Azerbaijan in different periods. An important group about 40'000 left the Central Asia Republics during the fifties after the death of Stalin. This group is integrated and during the Soviet time, received permanent residence permits. After the independence of Azerbaijan, they became Azerbaijani citizens. 46'000 Meskhetian Turks left Uzbekistan in 1988-1992, after the clashes in Farghana valley in order to return to their pale of origin in Georgia but were stranded in Azerbaijan.¹²⁴ This group was granted refugees status on a prima facie basis by the Government of Azerbaijan. Reportedly, a significant percentage of Meskhetian Turk refugees do not have valid document required for receiving Azerbaijani citizenship.

4. Azerbaijani Refugees and Asylum Seekers – Global Trends

Asylum applications, 1992-1999

During the period 1992-1998, asylum-seekers from Azerbaijan lodged some 8,040 asylum claims in the European countries listed in Table 1. Germany received 65 per cent of these applications, followed by the Netherlands (25 per cent). Since 1996, the number of asylum-seekers from Azerbaijan has increased rapidly. During January-September 1999, the average monthly number of asylum applications reached 506, 93 per cent higher than the average number of asylum applications lodged during 1998. In July, August and September 1999, the number of asylum-seekers from Azerbaijan exceeded 650 per month (see Table 3). Based on the most recent trends, it can thus be expected that the total number of Azerbaijani asylum applications lodged in Europe during 1999 will reach more than 6,000 (1998: 3,150 applications).



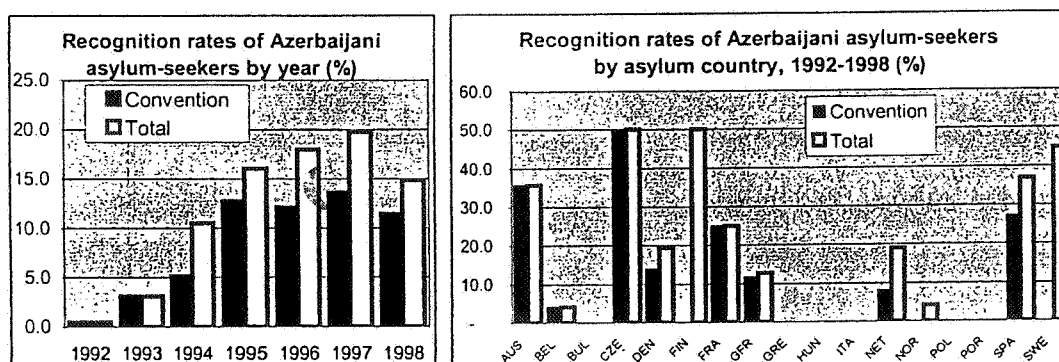
During the first nine months of 1999, 47 per cent of all Azerbaijani asylum claims were lodged in Germany and some 40 per cent in the Netherlands (see Table 3).

¹²³ UNHCR The State of the World's Refugees 1997-98, 235

¹²⁴ Ibid.

Convention refugee status and Convention recognition rates

During 1992-1998, some 860 Azerbaijani asylum-seekers were granted Convention refugee status. Of these, 71 per cent (610) were granted refugee status in Germany and 19 per cent (165) in the Netherlands. During 1992-1998, some 11 per cent of all Azerbaijani asylum-seekers were recognized as refugees under the 1951 Convention relating to the Status of Refugees (1998: 11.4 per cent).



Humanitarian status and total recognition rates

Some 330 Azerbaijani asylum-seekers were granted humanitarian status during 1992-1998 in Europe, 68 per cent (225) of who were allowed to remain in the Netherlands. The total recognition rate, that is, including both Convention and humanitarian status recognition, of Azerbaijani asylum-seekers in Europe amounted to some 15 per cent. In Germany, the total recognition rate reached 13 per cent during 1992-1998, whereas in the Netherlands it was 19 per cent. The total recognition rate for Azerbaijani asylum-seekers reached a peak in 1997 (20 per cent).

Geographical distribution during 1998

During 1998, Azerbaijani citizens lodged some 3,490 asylum applications in 27 countries world-wide. In total, some 5,240 refugee status determination decisions were taken, 485 (9 per cent) of which resulted in refugee status, whereas another 111 Azerbaijani asylum-seekers were granted humanitarian status. In total, 11 per cent of all decisions taken during 1998 were positive (see Table 4.).

Table 1. Asylum applications submitted							Origin: Azerbaijan		
Country	1992	1993	1994	1995	1996	1997	1998	Total	Total (%)
Austria	-	-	-	-	-	4	10	14	0.2
Belgium	1	11	8	21	35	34	82	192	2.4
Bulgaria	-	-	-	-	-	-	2	2	0.0
Czech Rep.	-	18	-	4	-	5	9	36	0.4
Denmark	-	-	2	1	11	10	12	36	0.4
Finland	-	-	2	8	-	-	6	16	0.2
France	-	-	-	-	23	28	53	104	1.3
Germany	208	564	368	423	866	1,245	1,566	5,240	65.2
Greece	-	-	-	-	-	-	1	1	0.0
Hungary	-	-	-	-	-	-	2	2	0.0
Italy	-	-	-	-	-	-	1	1	0.0
Netherlands	10	23	104	129	185	315	1,268	2,034	25.3
Norway	-	4	1	-	2	2	15	24	0.3
Poland	-	-	-	5	33	37	16	91	1.1
Portugal	-	-	-	-	-	-	-	-	-
Spain	-	9	21	3	15	13	42	103	1.3
Sweden	-	13	-	11	14	2	27	67	0.8
Switzerland	1	3	-	-	7	24	41	76	0.9
United Kingdom	-	-	-	-	-	-	-	-	-
Total	220	645	506	605	1,191	1,719	3,153	8,039	100.0
- of which: EU	220	623	505	596	1,156	1,675	3,109	7,884	98.1

Table 2. Asylum-seekers granted Convention and hum. status							Origin: Azerbaijan		
Country	1992	1993	1994	1995	1996	1997	1998	Total	Total (%)
Austria	-	-	-	-	-	5	-	5	0.4
Belgium	-	-	-	-	3	1	4	8	0.7
Bulgaria	-	-	-	-	-	-	-	-	-
Czech Rep.	1	6	-	-	1	3	7	18	1.5
Denmark	-	-	-	1	1	3	2	7	0.6
Finland	-	-	1	-	-	4	3	8	0.7
France	-	-	-	-	5	10	11	26	2.2
Germany	-	9	24	66	123	182	259	663	55.7
Greece	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-
Netherlands	-	-	5	19	75	123	165	387	32.5
Norway	-	-	1	-	-	-	-	1	0.1
Poland	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-
Spain	-	5	1	7	5	4	16	38	3.2
Sweden	-	-	21	4	1	4	-	30	2.5
Switzerland	-	-	-	-	-	-	-	-	-
United Kingdom	-	-	-	-	-	-	-	-	-
Total	1	20	53	97	214	339	467	1,191	100.0
- of which: EU	-	14	52	97	213	336	460	1,172	98.4

Table 3. Asylum applications submitted, 1999											Origin: Azerbaijan	
	Jan.	Feb.	Mar.	Apr.	May	Jun	Jul.	Aug.	Sep.	Total	Total (%)	
Austria	0	1	0	0	5	4	1	3	0	14	0.3	
Belgium	10	16	31	7	12	20	28	38	63	225	4.9	
Bulgaria	0	0	0	0	0	0	0	0	0	0	-	
Czech Rep.	0	0	0	0	0	0	1	0	0	1	0.0	
Denmark	0	1	3	1	1	0	3	0	2	11	0.2	
France	6	5	9	12	11	22	11	35	0	111	2.4	
Germany	219	182	154	130	243	264	349	362	257	2,160	47.4	
Ireland	0	0	1	0	0	0	1	1	0	3	0.1	
Luxembourg	0	0	0	0	0	0	0	1	0	1	0.0	
Netherlands	181	172	105	85	217	188	238	314	301	1,801	39.6	
Norway	1	1	3	5	3	1	8	4	3	29	0.6	
Poland	5	3	1	1	0	1	4	6	1	22	0.5	
Romania	1	0	0	0	0	0	0	0	0	1	0.0	
Slovenia	0	0	0	0	0	0	0	0	0	0	-	
Spain	8	5	4	1	5	7	8	6	11	55	1.2	
Sweden	0	5	5	1	7	0	9	6	0	33	0.7	
Switzerland	2	0	3	0	8	1	15	7	25	61	1.3	
United Kingdom	5	10	5	0	5	*	*	0	0	25	0.5	
Total	438	401	324	243	517	508	676	783	663	4,553	100.0	

Table 4. Asylum applications and refugee status determination, 1998						Origin: Azerbaijan		
Country of asylum	Pending cases begin year	Applied during year	Decisions during year					Pending cases end of year
			Refugee status	Other	Rejected	Otherw. closed	Total	
Austria	-	10	-	-	-	4	4	0
Belarus	-	34	-	-	-	-	-	4
Belgium	-	82	4	-	23	-	27	0
Bulgaria	16	2	-	-	1	-	1	17
Canada	25	34	18	-	14	5	37	27
Czech Rep.	-	9	7	-	2	-	9	0
Denmark	-	12	2	-	12	-	14	0
Finland	-	6	-	3	-	-	3	3
France	-	53	11	-	31	-	42	0
Georgia	-	1	-	-	1	-	1	0
Germany	481	1,566	246	13	1,095	138	1,492	717
Greece	-	1	-	-	-	-	-	0
Hungary	-	2	-	-	1	-	1	1
Italy	-	1	-	-	-	-	-	0
Latvia	-	2	-	-	-	-	-	2
Liechtenstein	-	5	-	-	-	-	-	5
Lithuania	1	4	-	-	1	2	3	2
Netherlands	-	1,268	80	85	99	291	555	0
Norway	-	15	-	-	-	-	-	0
Poland	20	16	-	-	19	5	24	12
Romania	-	4	-	4	-	-	4	0
Russian Federation	2,737	99	42	-	460	2,322	2,824	12
Spain	-	42	10	6	17	-	33	0
Sweden	-	27	-	-	14	-	14	0
Switzerland	22	41	-	-	5	22	27	32
Turkmenistan	4	43	1	-	-	36	37	10
Ukraine	2	106	63	-	27	-	90	18
Total	3,308	3,485	484	111	1,822	2,825	5,242	862

5. UNHCR Operations 1998-1999

UNHCR was among the first international organizations to arrive in Azerbaijan in December 1992. To respond to the emergency situation, UNHCR came forward with a substantial amount of assistance, followed by other United Nations agencies and international non-governmental organisations. Since 1996, UNHCR's sectoral assistance priorities have gradually shifted from relief assistance to activities aimed at reaching durable achievements in the areas of shelter, health, education and income generation. The same year, in parallel with the assistance to IDPs, UNHCR began facilitating the return of IDPs to accessible areas of origin in partially occupied front-line districts with a limited shelter rehabilitation programme.

During the period under review, the operations of UNHCR in Azerbaijan target the following groups:

Ethnic-Azeri Refugees and IDPs, and Meskhetian Refugees from Central Asia

The objectives are to provide integrated multi-sectoral assistance to the most vulnerable group of 150,000 of a total population of approximately one million IDPs and refugees (government statistics) in an effort to increase their self-reliance and interim local settlement. The selected vulnerable groups benefit from income generating, health, education, as well as shelter rehabilitation activities. UNHCR implements activities for selected vulnerable groups, including shelter, education (mainly vocational/skills training programmes), health, income-generation, crop production and animal husbandry.

Activities to increase self-reliance among IDPs and Meskhetians through a community mobilization approach continue to constitute the backbone of UNHCR's assistance programme in Azerbaijan. These activities include market greenhouse cooperatives, business classes and selection of the most viable business proposals for income-generating schemes, vocational skills training and establishment of enterprises. IDP/refugee families with past experience in animal husbandry are provided with opportunities to undertake small sheep-rearing activities. In a public building rehabilitation programme, skilled IDPs are employed as masons, carpenters, painters, etc., and were also involved in the organization and planning of these activities.

IDP/Refugee Reproductive Health has been incorporated into the UNFPA long-term strategy through a project, which ensures sustainable access to reproductive health services, by the beneficiary population. To this end, UNHCR and UNFPA have agreed to joint planning and costs sharing into the year 2000. Cooperation between UNHCR and UNICEF has also led to the development of an integrated policy and action plan of vaccinations for IDP children. In February 1999, UNHCR signed an Aide Memoire with the Government and the World Bank, formulating a joint process to improve IDPs' access to jobs and income-generating activities.

IDPs Returning to the War-Damaged Areas in Azerbaijan

UNHCR assists 2,000 families who have spontaneously returned to the war-damaged areas of Terter, Agdam and Fizuli districts, and encourages further return, as part of a shelter rehabilitation programme jointly coordinated with the World Bank and United Nations Development Program (UNDP). This project was formalized in September 1998. Building material was re-positioned and reconstruction started as soon as the winter was over. Three implementing partners have been engaged for the project, each in one of the project regions. In the Fizuli area, of the target of 1,000 houses, 521 have been completed, mainly through contract labour. In the Terter area, of the targeted 910 households, 422 have received building materials and 180 of these have been completed, mainly through self-help. In the Agdama area, 251 households were surveyed, 75 contracts have been signed and work has begun at 45 locations. The first phase of the project is to be completed before the end of the year, and the second phase will depend on new contributions. A recent joint World Bank/UNHCR evaluation confirmed that besides housing, access to income-earning activities, education and health facilities are equally important in IDPs' decision to return. In this context, UNHCR further strengthened its coordination with the responsible government agency to ensure that these sectors are equally implemented.

Asylum-Seekers/Refugees from Outside the CIS

UNHCR continues to interview and assist refugees and asylum seekers originating from Afghanistan, Islamic Republic of Iran, Iraq, Syria, Algeria, Libyan Arab Jamahiriya and Sudan. Over 400 families were provided with financial and medical assistance, with priority given to the most vulnerable groups (single heads of households, disabled, orphans). Following the adoption by Parliament of the new Law on Citizenship, UNHCR with the Council of Europe organized a workshop on the implementation of this law, with the participation of officials from the Presidential Office and the Ministries of Internal Affairs, of National Security and of Foreign Affairs. In cooperation with the OSCE and the Council of Europe, UNHCR also provides guidance and expertise to the Government in the drafting of NGO legislation.

Bibliography

AFP: Agence France Presse: Azerbaijan parliament votes to scrap death penalty, 10 February 1998 [Lexis/Nexis: accessed 11 February 1998]; Azerbaijan opposition forces unite in election protest, 23 October 1998 [Lexis/Nexis: accessed 28 October 1998]

Amnesty International: Annual Report 1999 [Internet: <<http://www.amnesty.org/ailib/aireport/ar99/>> accessed 20 August 1999]

BBC News: Azerbaijan's President bid for third term, 7 September 1999

Internet: <http://www.news2.thls.bbc.co.uk/hi/eng...a-pacific/newsid_441000.4410170.stm> accessed 8 September 1999]; Azeri agency lists Karabakh cease-fire violations, 19 May 1999

[Internet: <<http://www.soros.org/azerbjan/omri0290.html>> accessed 13 September 1999]; Editors in Azerbaijan threaten hunger strike, 16 November 1998 [Internet: <<http://www.news2.thls.bbc.co.uk>> accessed 12 August 1999]; Europe monitors slam Azeri election, 12 October 1998 [Internet: <<http://www.news2.thls.bbc.co.uk>> accessed 6 August 1999]; Kocharian outlines achievements of talks with Aliyev, 25 August 1999

[Internet: <<http://www.soros.org/azerbjan/omri0475.html>> accessed 30 August 1999]; Armenia wants common-state at heart of Karabakh deal, 12 May 1999 [Internet: <<http://www.soros.org/azerbjan/omri0272.html>> accessed 13 September 1999]; United States to continue mediation in Nagorno-Karabakh dispute, 17 April 1999

[Internet: <<http://www.news2.thls.bbc.co.uk>> accessed 13 September 1999]; Azerbaijan goes to the polls, 11 October 1998 [Internet: <<http://www.news2.thls.bbc.co.uk>> accessed 6 August 1999]

British Helsinki Human Rights Group: The Presidential elections a preliminary report, 11 October 1998 [Internet: <<http://www.bhhrg.org/azerbaijan/azerbaijan1998.htm>> accessed 14 July 1999]

CNN: Caucasus refugees in limbo, pawns of ex-Soviet region's instability, 20 October 1997

[Internet: <<http://cnn.com/WORLD/asiapcf/9710/19/AP000453.ap.html>> accessed 20 November 1997]; European Summit drafts security blueprint for 21st century, 3 December 1996

[Internet: <<http://cnn.com/WORLD/9612/03/osce.summit/index.html>> accessed 8 September 1999]

Constitution of the Azerbaijan Republic: November 1995, UNHCR *REFWORLD*, January 1999

Coppieters, Bruno: Contested Borders in the Caucasus, Brussels, VUBPRESS, 1996

Council of Europe, Committee of Ministers: Resolution (96) 32 on Azerbaijan, 11 September 1996,

[Internet: <<http://www.coe.fr/cm/ta/res/1996/96x32.htm>> accessed 6 September 1999]

Danielyan, Emil: for RFE/RL, Deadlock in Nagorno-Karabakh peace talks continues, 5 July 1999

[Internet: <<http://www.rferl.org/nca/features/1999/07/F.RU.990707113253.html>> accessed 12 August 1999]

New efforts to Solve Nagorno-Karabakh dispute, 24 May 1999

[Internet: <<http://www.rferl.org/nca/features/1999/05/F.RU.990524124639.html>> accessed 12 August 1999]

Eastern Europe and the Commonwealth of Independent States 1999, A Political and Economical Survey, 4th edition, Europa Publications, London, 1999

Economist Intelligence Unit: Country Profile Azerbaijan 1998-1999, [Internet: <<http://www.eiu.co/database/>> accessed 5 May 1999]; Country Report Azerbaijan, 3rd quarter 1999 [Internet: <<http://www.eiu.co/database/>> accessed 30 August 1999]

Europa World Year Book 1999, Vol. I: International Organisations, Afghanistan-Jordan, 39th edition, Europa Publications, London, 1998

European Platform for Conflict Prevention and Transformation: Nagorno-Karabakh: Pawn in the major power game, 13 January 1999 [Internet: <<http://www.oneworld.org/euconflict/guides/surveys/arm.at.html>> accessed 12 July 1999]

Fuller, Liz: for RFE/RL: Diplomatic moves aimed at ending Karabakh deadlock, 18 March 1999 [Internet: <<http://www.rferl.org/nca/features/1999/03/F.RU.990318130719.html>> accessed 12 August 1999]

Goble, Paul: for RFE/RL: Analysis from Washington--The homeless million create serious problems, 4 March 1998 [Internet: <<http://www.rferl.org/nca/features/1999/07/F.RU.990723131645.html>> accessed 9 September 1999]

Hogan, Beatrice: for RFE/RL, Ambassador requests US mediator for Nagorno-Karabakh dispute, 23 July 1999 [Internet: <<http://www.rferl.org/nca/features/1999/07/F.RU.990723131645.html>> accessed 12 August 1999]

Human Rights Watch: Azerbaijan: Impunity for torture, Vol. 11, No. 9 (D), New York, August 1999, Annual Report 1998 [Internet: <<http://www.hrw.org>> accessed 8 August 1999]; Annual Report 1996, UNHCR *REFWORLD*, January 1999; Letter to Special Rapporteurs / Azerbaijan, 20 January 1998 [Internet: <<http://www.hrw.org/hrw/press/1999/jan/azrap.htm>> accessed 15 July 1998]

International Helsinki Federation for Human Rights: Annual Report 1998, 23 October 1998 [Internet: <<http://www.ihf-hr.org/reports/ar98/ar98aze.htm>> accessed 15 July 1999]; Annual Report 1999, 5 July 1999 [Internet: <<http://www.ihf-hr.org/reports/ar99/ar99aze.htm>> accessed 15 July]

International Organisation for Migration, Technical Cooperation Centre for Europe and Central Asia: CIS Migration Report 1996, Geneva, IOM, 1997

Inter-Parliamentary Union: Azerbaijan: General Information about the Parliamentary Chamber, Electoral system and Last election, 1999 [internet: <http://www.ipu.org/parlinee-e/reports/2019_B.htm> accessed 18 August 1999]

Kamal, Ali: for the Institute of War & Peace reporting: The Confrontation between Society and Azerbaijan's law enforcement, January 1999 [Internet: <http://ipwr.net/caucasus/news/mca02_08_eng.htm> accessed 11 August 1999]

Levinson, David: Ethnic Groups Worldwide, Phoenix, Oryx Press, 1998

Le Monde Diplomatique: Compromis pour le Karabakh, December 1998 [Internet <<http://www.monde-diplomatique.fr/1998/12/A/11391.html>>]

Mekhpara, Sadygova: for the Institute of War & Peace reporting: Azerbaijan's opposition behind bars, January 1999 [Internet: <http://www.iwpr.net/caucasus/news/mca01_14_eng.htm> accessed 11 August 1999]

Naegele, Jlyon: for RFE/RL: The Armenian perspective from Nagorno-Karabakh, 25 March 1998 [Internet: <<http://www.rferl.org/nca/features/1998/03/F.RU.980325124400.html>> accessed 12 August 1999]; Azerbaijan: a country committed to regaining Nagorno-Karabakh, 19 March 1998 [Internet: <<http://www.rferl.org/nca/features/1998/03/F.RU.980319150254.html>> accessed 12 August 1999]; The Refugee burden looms large, 15 May 1998 [Internet: <<http://www.rferl.org/nca/features/1998/05/F.RU.980515122020.html>> accessed 12 August 1999]

National Democratic Institute for International Affairs: Statement of the international election observer delegation to Azerbaijan October 11, 1998, Presidential Election, 13 October 1998, [Internet: <<http://www.ndi.org/archives/azsstmt1.htm>> accessed 30 August 1999]

Norwegian Refugee Council: Internally Displaced People - A Global Survey, 15 January 1998, UNHCR, *REFWORLD* January 1999: Annual Report 1998. [Internet: <http://www.nrc.no/Annual_report_98/7.htm> accessed 30 August 1999]

OSCE: The Conflict dealt with by the Minsk Conference (Nagorno-Karabakh), 1998 [Internet: <<http://www.osceprag.cz/e/f-min.htm>> accessed 26 August 1999]

Radio Free Europe / Radio Liberty: Azerbaijan: President's Illness Highlights Country's Uncertain Future, 7 May 1999 [Internet: <<http://www.rferl.org/nca/features/1999/05/F.RU.990507130357.html>> accessed 8 August 1999]; Opposition Blasts Election Preparations, 27 August 1999 [Internet: <<http://www.rferl.org/nca/features/1999/>> accessed 12 August 1999]; Azerbaijan: Facts and Figures, 1998 [Internet: <<http://www.rferl.org/bd/az/info/az-ciafacts.html>> accessed 25 August 1999] Caucasus report, Vol. 2 (34), 26 August 1999 [Internet: <<http://www.rferl.org/caucasus-report/>> accessed 30 August 1999]; Karabakh Shootout exposes cease-fire's fragility, 16 June 1999 [Internet: <<http://www.rferl.org/nca/features/1999/06/F.RU.990616115419.html>> accessed 12 August 1999]; Armenia satisfied with Karabakh talks, 19 July 1999 [Internet: <<http://www.rferl.org/nca/features/1999/07/F.RU.990719.html>> accessed 12 August 1999]; Armenian, Azerbaijani leaders to meet today, 16 July 1999 [Internet: <<http://www.rferl.org/nca/features/1999/07/F.RU.990716123536.html>> accessed 12 August 1999]

Reuters: Azeri, Armenian leaders to bolster border security, 23 August 1999 [Internet: <<http://infoseek.go.com/Content?arn...p-noframes&col=NX&kt=A&ak=news1486>> accessed 30 August 1999]

Rieff, David: Case Study in Ethnic Strife, In *Foreign Affairs* vol. 76 (2), April/March 1997

Statesman's Year-Book 1998-1999: edited by Barry Turner, 135th Edition, Exeter, Saint Martin's Press, 1998

Suny, Ronald Grigor: for the Caucasian Regional Studies: Living with the other: Conflict and cooperation among the Transcaucasian people, Vol 2 (1), 1997 [Internet: <<http://poli.vub.ac.be/publi/crs/eng/0201-06.htm>> accessed 1 September 1999]

Tamarzian, Harry: for RFE/RL, Presidents support renewed diplomacy on Karabakh, 23 August 1999, [Internet: <<http://www.reliefweb.int>> accessed 23 August 1999]

Union of Councils for Soviet Jews: Azerbaijan, 1 January 1998 [Internet: <<http://www.fsumonitor.com/stories/asem1az.shtml>> accessed 26 August 1999]

US Department of State, Bureau of Democracy, Human Rights, and Labour: Azerbaijan Country Report on Human Rights Practices for 1998, 26 February 1999 [Internet: <http://www.state.gov/www/global/human_rights/1998_hrp_report/azerbaij.html> accessed 8 August 1999]; Azerbaijan Country Report on Human Rights Practices for 1997, January 1998 [Internet: <http://www.state.gov/www/global/human_rights/1997_hrp_report/azerbaij.html> accessed 8 August 1999]; Azerbaijan Country Report on Human Rights Practices for 1996, January 1997 [Internet: <http://www.state.gov/www/global/human_rights/1996_hrp_report/azerbaij.html> accessed 8 August 1999]

United Nations High Commissioner for Refugees: *REFWORLD*, Centre for Documentation and Research, Geneva, January 1999: *REFWORLD*, Centre for Documentation and Research, Geneva, July 1999: 1998 Global Report, Geneva, UNHCR, 1999: 1999 Global Appeal, Geneva, UNHCR, 1998: Refugees and Others of concern to UNHCR, 1997 Statistical Overview, Geneva, UNHCR, July 1998: Displacement in the CIS; UNHCR Publication for the CIS Conference, May 1996, *REFWORLD* January 1999: The State of the World's Refugees 1997-98, Oxford University Press, 1997

United Nations, Economic and Social Council, Commission on Human Rights, Report of the Representative of the Secretary General, Specific groups and individuals: Mass exodus and displaced persons addendum, Profiles in displacement: Azerbaijan, 25 January 1999, E/CN.4/1999/79Add.1 [Internet: <<http://www.unhchr.ch/Huridocda/>> accessed 8 September 1999]: Letter dated 3 March from the Permanent Representative of Azerbaijan, 19 March 1999, E/CN.4/1999/122 [Internet: <<http://www.unhchr.ch/Huridocda/>> accessed 8 September 1999]

United Nations, International Convention on the Elimination of all Forms of Racial Discrimination: Committee on the Elimination of Racial Discrimination, Second periodic report on Azerbaijan, (CERD/C/SR.1359), 26 August 1999

World Bank: Azerbaijan, August 1998 [internet: <<http://www.worldbank.org/html/extdr/offrep/eca/az2.htm>> accessed 24 August 1999]

World Directory of Minorities, London, Minority Rights Group, 1997

Zardusht, Alizade: for the Institute of War & Peace reporting: The Press - Last bastion of freedom in Azerbaijan, 1998 [Internet: <http://ipwr.net/caucasus/news/mca02_05_eng.htm> accessed 11 August 1999]

Zeynalov, Eldar: for the Institute of War & Peace reporting: Refugees and displaced persons in Azerbaijan, 1998 [Internet: <http://ipwr.net/caucasus/news/mca02_01_eng.htm> accessed 11 August 1999]: for the Human Rights Center in Azerbaijan: The next persecution of Jehovah Witnesses, Press release, 7 September 1999

