



Flygtningenævnets baggrundsmateriale

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Azerbaijan (2006)

Polity:

No polity available

Political Rights:

6

Civil Liberties:

5

Status:

Not Free

Population:

8,400,000

GNI/Capita:

\$820

Life Expectancy:

72

Religious Groups:

Muslim (93.4 percent), Russian Orthodox (2.5 percent), Armenian Orthodox (2.3 percent), other (2.3 percent)

Ethnic Groups:

Azeri (90.2 percent), Dagestani (2.2 percent), Russian (1.8 percent), Armenian (1.5 percent), other (3.9 percent)

Capital:

Baku

Additional Info:

[Freedom in the World 2005](#)

[Freedom of the Press 2005](#)

[Nations in Transit 2004](#)

[Countries at the Crossroads 2005](#)

Overview

Flawed parliamentary elections in November 2005 capped a year of unfulfilled reform ambitions in Azerbaijan. The elections resulted in the opposition's securing only a small fraction of the 125 seats in the Milli Majlis (National Assembly), with a substantial majority going to the ruling Yeni Azerbaijan Party (YAP) and its allies. The run-up to the election included claims by the regime of an attempted coup, which resulted in the detention and arrest of several former ministers.

After having been controlled by the Ottoman Empire since the seventeenth century, Azerbaijan enjoyed a brief period of independence from 1918 to 1920. It entered the Soviet Union in 1922 as part of the Transcaucasian Soviet Federal Republic, becoming a separate Soviet republic in 1936. Following a referendum in 1991, Azerbaijan declared independence from the disintegrating Soviet Union.

In 1992, Abulfaz Elchibey, leader of the nationalist opposition Azerbaijan Popular Front, was elected president in a generally free and fair vote. A military coup one year later ousted him from power and installed the former first secretary of the Azerbaijan Communist Party, Heydar Aliyev, in his place. In the October 1993 presidential elections, Aliyev was credited with receiving nearly 99 percent of the vote. Azerbaijan's first post-Soviet parliamentary elections, held in November 1995, saw five leading opposition parties and some 600 independent candidates barred from the vote in which Aliyev's Yeni Azerbaijan Party (YAP) won the most seats. In October 1998, Aliyev was chosen president with more than 70 percent of the vote in an election marred by irregularities.

In November 2000, the ruling YAP captured the majority of seats in the parliamentary election. The Azerbaijan Popular Front and the Communist Party came in a distant second and third, respectively. International monitors from the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe cited widespread electoral fraud, including the stuffing of ballot boxes and a strong pro-government bias in state-run media. Despite widespread criticism of the elections, the Council of Europe approved Azerbaijan's application for membership just days after the vote, a decision widely criticized by international human rights groups.

An August 2002 national referendum led to the adoption of a series of

constitutional amendments, some of which critics charged would further strengthen the ruling party's grip on power. One controversial amendment stipulated that the prime minister become president if the head of state resigns or is incapacitated. Critics charged that the aging and ailing Aliyev would appoint his son, Ilham, prime minister in order to facilitate a transfer of power within the Aliyev family. Opposition groups and the OSCE charged that the referendum was marred by fraud, including ballot-box stuffing, intimidation of election monitors and officials, and inflated voter-turn-out figures of nearly 90 percent.

In the months preceding the October 2003 presidential election, the political environment was marked by uncertainty over Heydar Aliyev's declining health and its implications for his reelection bid. Aliyev collapsed during a live television broadcast in April and left Azerbaijan that summer to receive medical treatment abroad. At the same time, government officials continued to deny that his health problems were serious, and he remained the official YAP candidate for the presidential election. In June, Aliyev's son, Ilham, was officially nominated as a presidential candidate, and the elder Aliev withdrew his candidacy in favor of his son's on October 2, 2003.

In the 2003 presidential ballot, final election results released by the Central Election Commission showed Ilham Aliyev defeating seven challengers with nearly 77 percent of the vote. His closest rival, opposition Musavat Party leader Isa Gambar received only 14 percent of the vote, while six other candidates received less than 4 percent each. According to OSCE observers, the election was marred by widespread fraud. During violent clashes between security forces and demonstrators in Baku in October, in which at least one person was reportedly killed and several hundred were injured, the authorities unleashed a crackdown against the opposition in which more than 600 people were detained. Among those arrested were opposition party leaders and supporters who had not been directly involved in the preceding days' violence, along with many election officials who refused to certify fraudulent election results. Heydar Aliyev, who had long dominated the country's political life, died in December 2003.

Over the course of 2004 and 2005, Ilham Aliyev sought to consolidate his position among the country's ruling elite. In the immediate run-up to the November 2005 parliamentary election, a number of former and current senior officials were detained in response to what the regime claimed was a coup attempt. However, observers maintained that the detentions were a move on the president's part to further consolidate control over the country's political elites.

Less than half of all registered voters cast ballots in the legislative poll, the lowest voter turnout in a decade. More than 2,000 candidates registered for the 125 constituencies. However, about a fourth of these candidates ultimately withdrew, in some cases because of intimidation, leaving 1,550 to take part on election day. The elections resulted in the opposition's capturing 10 of 125 seats in the Milli Majlis (National Assembly), with a substantial majority going to the ruling YAP and its allies. Seats in four districts were invalidated by the

authorities and were scheduled to be rerun after the end date of the coverage period of this report. The results of the elections were contested by the opposition, which organized a number of rallies in the country's capital.

A settlement for the disputed territory of Nagorno-Karabakh, over which Armenia and Azerbaijan fought in the early 1990s, was not achieved, although high-level talks provided a glimmer of hope that a process could be in the works to ameliorate the tense state of affairs. The region, which is formally part of Azerbaijan, is now predominantly ethnically Armenian and effectively under Armenian control.

Political Rights and Civil Liberties

Citizens of Azerbaijan cannot change their government democratically. The country's constitution provides for a strong presidency and the country's parliament, the 125 member Milli Majlis, exercises little independence from the executive branch. Presidential and parliamentary terms are five years.

The 1993, 1998, and 2003 presidential and 1995 and 2000 parliamentary elections were considered neither free nor fair by international observers. The 2005 parliamentary elections were likewise afflicted by extensive irregularities. The OSCE's Office for Democratic Institutions and Human Rights cited among the elections' shortcomings "interference of local authorities, disproportionate use of force to thwart rallies, arbitrary detentions, restrictive interpretations of campaign provisions and an unbalanced composition of election commissions." President Ilham Aliyev issued two decrees, in May and October 2005, directing the administration of free and fair elections; these decrees effectively went unheeded.

Corruption is deeply entrenched throughout society, with government officials rarely held accountable for engaging in corrupt practices. The lack of judicial and parliamentary independence from the executive, among other institutional obstacles, creates an environment that enables corruption. Azerbaijan was ranked 137 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index.

While Azerbaijan's constitution guarantees freedom of speech and the press, the authorities use a variety of tools to intimidate the press. Journalists are subject to physical harassment and even risk death. In March 2005, Elmar Huseinov, editor of the opposition magazine Monitor, was shot to death in the lobby of his apartment building in Baku. The broadcast media are the main source of information in the country. Of the 16 television stations, 4 broadcast to a national audience; all 4 of these have clear or likely links to the regime. Independent and opposition papers struggle financially in the face of low circulation, limited advertising revenues, and heavy fines or imprisonment of their staff. State businesses rarely if ever advertise in opposition newspapers. While there is some pluralism in the print media, it is irrelevant to the extent that newspapers have relatively low print runs, are not distributed regularly in rural areas, and are frequently too expensive for many people to purchase on a regular basis.

A noteworthy development in 2005 was the unveiling of Azerbaijan's first public service broadcasting channel, which began operations in August. Following the flawed presidential election in 2003, the Council of Europe, of which Azerbaijan is a member, adopted a resolution demanding that the government of Azerbaijan immediately implement a series of measures that included the creation of public service television to allow political parties to better communicate with the country's citizens. The Council of Europe for months exhorted the authorities in Baku to establish a genuinely independent public broadcasting channel, but the regime was slow in implementing the directive. The channel's creation just weeks in advance of the November 2005 election minimized its impact on the election process. The opposition was afforded some television airtime during the election campaign, but overall news coverage was slanted toward the ruling YAP and its candidates.

The government restricts some religious activities of members of "nontraditional" minority religious groups through burdensome registration requirements and interference in the importation and distribution of printed religious materials. Islam, Russian Orthodoxy, and Judaism are considered traditional religions, and their members can generally worship freely.

The government generally does not restrict academic freedom. However, some faculty and students have experienced political pressure. After the October 2003 election and in advance of the 2005 parliamentary poll, some professors and teachers said they were dismissed because of their membership in opposition parties.

The government often restricts freedom of assembly, especially for political parties critical of the government. Registration with the Ministry of Justice is required for a nongovernmental organization (NGO) to function as a legal entity, and the registration process has been described as cumbersome and nontransparent. A week before the 2005 parliamentary elections, Azerbaijan lifted a ban on NGOs receiving more than 30 percent of their funding from foreign sources to serve as election monitors. Although the law permits the formation of trade unions and the right to strike, the majority of trade unions remain closely affiliated with the government and most major industries are state owned.

The judiciary is corrupt, inefficient, and subservient to the executive branch. Arbitrary arrest and detention are common, particularly for members of the political opposition. Detainees are often held for long periods before trial, and their access to lawyers is restricted. Police abuse of suspects during arrest and interrogation reportedly remains commonplace, with torture sometimes used to extract confessions. Prison conditions are reportedly severe, with many inmates suffering from overcrowding and inadequate medical care.

Some members of ethnic minority groups, including the small Armenian population, have complained of discrimination in areas including education, employment, and housing. Hundreds of thousands of ethnic Azeris who fled the war in Nagorno-Karabakh have been prevented by the Armenian government from returning to their homes and remain in Azerbaijan, often living in dreadful

conditions.

Significant parts of the economy are in the hands of a corrupt elite, which severely limits equality of opportunity. Supporters of the political opposition face job discrimination, demotion, or dismissal.

Traditional societal norms and poor economic conditions restrict women's professional roles. Domestic violence is a problem, and there are no laws regarding spousal abuse. In 2004, Azerbaijan adopted a new national program to combat human trafficking. According to the U.S. State Department's annual 2005 report on human trafficking, Azerbaijan is both a country of origin and a transit point for the trafficking of women for prostitution.