

Risking Democracy

Much at Stake for President and Son in the Azerbaijani Elections

By HRATCH TCHILINGIRIAN



Azerbaijanis will go to the polls on November 5 to cast their votes for a new Parliament. However, indirectly, they're really voting for a new president. An ailing President Haidar Aliyev, recently hospitalized again at the Cleveland Clinic in Ohio where he had heart surgery just a few years ago, must hang on until the elections, until his son Ilham Aliyev is elected to Parliament. This would make the younger Aliyev eligible for the position of that body's Speaker, and thus able to assume the duties of the president in the event the head of state is incapacitated or dies.

With a history of less-than-free voting and with so much at stake, the pre-election environment in Azerbaijan is brimming with controversy, heavy-handed government meddling in the election process and pressure on the opposition. Meanwhile, a wearied population watches the unfolding political drama.

The Playing Field

Over 1000 candidates registered with Azerbaijan's Central Election Commission (CEC) will compete for the 100 majoritarian (single mandate) seats and some 30 parties will vie for the 25 proportional seats. These will be Azerbaijan's fifth national elections since independence. There were the three presidential elections in 1992, 1993 and 1998, and the first parliamentary elections in 1995. Observers point out that if some 60 percent of the four million electorate participated in the 1992 elections, in 1998 it was only 25-30 percent, and in 1999, down to 15-20 percent. Indeed, "Only the presidential elections of 1992 were free and fair and the change of government was peaceful," says Ulvi Hakimov of the Azerbaijan Democratic Monitor (ADM), a local non-governmental organization (NGO.) The low voter turn out is also attributed to the general belief among the

The Armenian church in Baku: Destroyed and deserted. Photo by Felix Corley.



Presidents Aliyev and Kocharian in an encounter with reporters during the UN Millennium Summit in New York

citizens of Azerbaijan that “everything depends on the government and those counting the votes,” says Hakimov.

Tension between the authorities and the opposition, on one hand, and international attention, on the other, increased when the parliament approved a new election law in July, which was considered a “step backwards” by Western officials and “unfair” by opposition parties. Although minor amendments have since been made, the provisions of the new election law continue to cause serious concern about the final outcome of the elections.

Several other contentious issues remain unresolved. First, the allocation of majoritarian and proportional seats is a source of serious disagreement. The Organization for Security and Cooperation’s Office for Democratic Institutions and Human Rights (OSCE-ODIHR) had joined in and rec-

ommended changing the current majoritarian to proportional ratio from 100 to 25 to 75 to 50. The banning of local observers to monitor the polls, and the make up of election commissions are also worrisome.

Allocation of Seats

Opposition leader Isa Gambar of the Musavat Party says the “disproportion” of majoritarian and proportional seats will seriously affect the make up of the new parliament. “For a candidate to be elected from the party list he needs to get over 120,000 votes,” he explains. However, “in the majoritarian districts, there will be some cases where 4-5,000 votes will be sufficient for victory. It is very unfair.” Gambar adds this is a device that would make it “easier for the government to control the vote results at the district level than at the national level.”

The lower number of proportional seats also makes it difficult for opposition parties to form coalitions as 20 parties are vying for a mere 25 seats.

Domestic Observers

The “inefficiency of pressures of the West and international organizations” and the “elimination of political parties and local NGOs from observing the elections” have also worked in favor of the government according to Hakimov. In this regard, US State Department deputy spokesperson Philip Reeker called on Baku to implement OSCE-ODIHR’s proposals which would guarantee independent local election observers access to polling stations and provide conditions for free media coverage. The state continues to hold a virtual monopoly on the flow of information, especially in the regions.

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The ailing President

Election Commission

The makeup of the central, regional and local electoral commissions – which have a decisive role in handling the polls and counting the votes – is perhaps the most problematic issue. Gambar explains the formula in the new election law: “One-third are supposed to be from the government, another third independent, and one-third from the opposition. [However], by now it is clear to everybody that the one-third so called ‘independents’ also represent the government. And the one-third for the ‘opposition’ was arbitrarily assigned not to the mainstream opposition, but to two opposition parties which were allowed to enter the parliament in 1995 in a performance which was the best example of what undemocratic, unfair and crooked elections could be. Nobody believes that this composition of the electoral commissions can guarantee impartiality and fairness.”

The foreign policy implications of this election are even more significant as a final vote on Azerbaijan’s membership in the Council of Europe has been postponed until after November elections. For months, the US and Europe have expressed serious reservations about the transparency and fairness of the upcoming elections. British, French, German and US embassy officials in Baku have held a number of meetings with leading opposition parties. In follow up letters, including one from US Secretary of State Madeleine Albright, foreign officials urged Aliyev to comply with OSCE-ODIHR recommendations. While the content of Albright’s letter was not made public, President Aliyev downplayed its significance saying, “The letter dedicates only three to four lines to the issue [of elections] so skillfully embellished by the opposition.”

In the same press conference, held before his departure to New York for the UN Millennium Summit, Aliyev also castigated the opposition parties for urging the Council of Europe not to accept Azerbaijan in its ranks. This could complicate Baku’s admission. “I cannot say whether they [the opposition] can achieve anything by this. Every patriot calling himself a politician or party leader must not put his own interests above those of the state. People sending such letters must understand that Azerbaijan is an independent country that does not report to Moscow, Paris or Washington. It pursues its own policy,” said an angry Aliyev.

Three major events have further complicated the pre-election situation in Azerbaijan.

First, the arrest of Rauf Arifoglu, editor of the widely-circulated opposition newspaper *Yeni Musavat*, certainly introduced new twists in the ongoing political infighting. Arifoglu is charged with terrorism and "calling for change of state structure" in connection with a failed plane hijacking on August 18. The hijacker, Mehti Huseynli, also a *Musavat* Party member, who was arrested after being overpowered by the crew of the flight from Nakhichevan, reportedly called Arifoglu on his cell phone to dictate his list of demands. The party distanced itself and denied any involvement in the incident. Moreover, as Arifoglu was a candidate on the *Musavat* Party list, party leader Gambar accused the government of attempting to undermine his party's chances at the polls, by staging the editor's arrest and endeavoring to show *Musavat* as a "party of terrorists." In response to Arifoglu's arrest, President Aliyev said, "It is no use raising a big row over this and chanting slogans like 'Freedom to Arifoglu.' Everyone is equally accountable before the law, journalists and editors alike."

However, in addition to the support of local journalists and opposition parties, Amnesty International issued a statement criticizing Arifoglu's arrest and characterized it as an effort to intimidate the opposition. The US government called upon the Azeri authorities to guarantee the editor's due process rights. The wider implications of Arifoglu's arrest were apparent in Council of Europe Parliamentary Assembly's President Lord Russell Johnston's letter to Azerbaijani Parliament Speaker Murtuz Alesqerov. Johnston said, "His arrest and a number of other such incidents...cause serious concern in the light of forthcoming parliamentary election." Johnston reminded Alesqerov that such developments would be taken into consideration when CE's Committee of Ministers considers Azerbaijan's application for full membership in the organization.

The death of (the opposition) Popular Front leader and former president Abulfaz Elchibey, who died of cancer in Ankara in August and whose state funeral in Baku was attended by some 100,000 people, was the other major cause of change in the dynamics of the election process. With his death, the opposition lost its most vocal and visible leader.

The leadership struggle within the party, which had started before Elchibey's death has intensified dividing the party into two camps. For several months now, the Front has been divided between conservative supporters of Elchibey and the supporters of reform-minded Ali Kerimov, the first deputy chairman of the party. Kerimov's opponents accused him of "forming relations with parties opposed to the Front" with the ultimate intention of bringing, Ilham Aliyev, the president's son, into power. Kerimov dismissed such accusations and called for an end to the internal struggle, which could alienate voters. It has certainly complicated the party's position with the Central Election Commission which has refused to register them and has appealed to the Justice Ministry to determine which camp represents the "legitimate" leadership of the party.

The possibility of the formation of a Popular Front-*Musavat* election bloc was discussed before Elchibey's death and Arifoglu's arrest. The list was to be headed by Elchibey and was seen as the formation of a strong and credible opposition bloc which could compete with current authorities. However, given the Front's internal disputes and the CEC's refusal to register election blocs, arguing that parties forming coalitions should register separately, *Musavat* decided to go alone in the elections. However, on September 18, the CEC refused to register the *Musavat* Party's list of candidates, too, arguing that there were "forged signatures" among the minimum 50,000 required for registration. *Musavat* was barred from the 1995 elections on the same grounds. This year, several other parties were barred on the same basis.

As a result of the failed Front-*Musavat* alliance, the government allowed the registration of another opposition group, the Democratic Party, by amending the election law in late August. Rasul Guliev, former parliament speaker during Elchibey's presidency, and the party's chair, is accused of embezzlement of state funds in Azerbaijan and lives in exile in the US. However, despite Guliev's legal troubles, "Heidar Aliyev decided to allow the less dangerous, third opposition party to participate in the elections, [in order to] calm

international pressures," says Farhad Mammadov of the ADM.

Aliyev's calculations were on target. The US State Department welcomed Baku's action. A US spokesperson said, "The actions represent significant progress in Azerbaijan's election preparations," hoping that the Azerbaijani government would take "further needed steps for the election to meet international standards." Since then, however, in an attempt to further discredit the opposition,

Yeni Azerbaijan newspaper, President Aliyev's party's publication, accused Guliev and Gambar of "cooperating with the Armenian lobby in the US."

Finally, President Aliyev's deteriorating health may alter the "game plan" of the authorities. This election carries significant importance for the 77-year-old President who wants to see his son succeed him and continue his policies of oil-based diplomacy, challenging Russia on its presumptive rights in the Caucasus, and trying to negotiate a face-saving solution to the Karabakh conflict. For this to happen, Ilham Aliyev [who is first among the candidates of the New Azerbaijan Party] must win a seat in parliament this fall in order to be selected as Speaker," says Kenan Kazimoglu, the Washington correspondent for *Turan News Agency*.

This single goal seems to be the impetus behind the November 5th parliamentary elections in Azerbaijan.

If the process and outcome of previous elections are any indication, international reaction and criticism of the elections will be "limited to mostly words, and not deeds," adds Kazimoglu, especially since, in November, most of the world will be watching the presidential elections in the US.

"Such a distraction would allow President Aliyev to conduct his elections as he chooses," observes Kazimoglu. "The financial credits, official visits, and international honors and affiliations will continue uninterrupted and irrespective of foreign rhetoric and his conduct at home." As for possible repercussions for Azerbaijan's admission to the Council of Europe, it seems President Aliyev's successful installation of his son as heir is more urgent at this juncture than a place in a multi-national democracy and human rights organization. ■

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