

**AZERBAIJAN DEMOCRATIC REPUBLIC – 90**

**DEMOCRATIC VALUES IN THE  
HISTORY OF AZERBAIJAN**

edited by **Leila Alieva**

**The Center for National and International Studies**

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## **INTRODUCTION**

This publication details the proceedings of eight round tables which the Centre for National and International Studies completed in 2008-2009 in the regions of Azerbaijan.

These conferences were conducted in Sheki, Ganja, Salyan, Shirvan, Guba, Masalli, Balakan and Barda in connection with the 90th anniversary of the first democratic republic of Azerbaijan - the Azerbaijan Democratic Republic - of 1918-1920. Due to some technical problems with recording, some parts of these conferences have not made it into this publication, but it still covers nearly all the important presentations and debates.

The project, supported by the National Endowment for Democracy, covered 8 topics which reflected the most pressing issues of the transition viewed from an historical perspective. It includes traditions of parliamentarianism in Azerbaijan (Sheki), problems of Azerbaijan's integration in Europe (Ganja), the interlinked influence of oil and reforms (Salyan), traditions and problems of Azerbaijani journalism (Shirvan), agricultural reforms (Guba), gender issues (Masalli), self - governance (Barda) and an independent judiciary (Balakan).

The importance of the historical perspective in the formation of a national identity is obvious. There were well-known attempts in the last century to rewrite history, in particular during Soviet times, to make people forget their past and to create a new Soviet identity.

Yet despite the decades of persecution and attempts to delete the historical memory, Azerbaijani identity, in particular, based

on pre-Soviet experience of the formation of the modern nation state - the Azerbaijan Democratic Republic of 1918-1920 - survived and laid the basis for a revived independent Azerbaijani state in the 1990's.

Thus, history is vital for an increased awareness of one's own place and role in the world, and in terms of national and individual identity.

Another no less important question is how new the experience of building democracy really is for Azerbaijanis. Ongoing debates, both domestic and international, are concerned with the capacity of the people and nation to reform and to draw closer to the ideals of the free world. This also touches upon the issue of how European are Azerbaijanis and what the prospects are for the country's integration into Europe.

The historical context makes a significant contribution to these debates, demonstrating that even one hundred years ago, when the population of the country was not so educated or modernized, many attributes of democracy and democratic institutions could be found in Azerbaijan. This is the best reminder of the significant reform potential of the Azerbaijani people.

And last but by no means least is a review and re-assessment of these historical lessons. This is always a useful exercise which allows us to develop a more objective view of the events of the past and the current situation, along with defining the reform potential of a people in transition.

One of the aims of this project was also to show people that an alternative exists of open debates which are free from ideology and propaganda. The people attending these conferences were of different ages, ethnic backgrounds, sexes and professional backgrounds.

The expectations of the editor were fully realized - participants in all the regions got involved in sincere, intelligent and free discussions on truly topical issues, demonstrating openness and motivated by free thinking, with a talent for deep and refined understanding of the topics under debate.

The editor would like to express her gratitude to everyone who participated in realizing this project - first and foremost to the coordinator Aydin Balayev, local coordinators and speakers. My gratitude also goes out to assistants, volunteers and staff of the CNIS, whose help was invaluable at every stage of the project - Khuraman Bagirova, Gultekin Ramazanova, Tutu Isayeva, Sabina Salmanova, Mehseti Tahirzade, Ali Novruzov, Elvin Babayev.

**Leila Alieva**

## **THE HISTORY AND PROSPECTS OF PARLIAMENTARIANISM IN AZERBAIJAN**

**The city of Sheki  
8 November 2008**

### **Leyla Aliyeva:**

Dear participants of the conference! We decided to hold the first of the eight conferences planned within the framework of the project "Democratic traditions in Azerbaijani history" in your beautiful city.

Our Centre for National and International Studies is an independent organization. We are trying to ensure that our research and surveys are as objective as possible. We investigate and analyze developments in our country and events in international relations.

I would like to speak a little about the city of Sheki. I have heard a lot about this city since I was a child. The image of Sheki is linked mainly with the Sheki accent, silk, headscarf and jokes. But several years ago, I read an interesting article in the USA. The author of this article was a professor of New York University, Bruce Grant. Several years ago, he lived in the Sheki village of Bash Shabalid for several months and wrote a wonderful article about its history. After I read the article, I felt that with their bravery, Sheki residents defended the image of the freedom loving people of Azerbaijan. Bruce Grant proved with historical facts that until the 1930's, Sheki residents courageously and bravely resisted the Bolsheviks. It is a great honour for me to hold our first conference in Sheki.

This year marks the 90th anniversary of the ADR. This is the most important date in our history, because development of Azerbaijan's democratic traditions peaked in May 1918. We have come here with well-known scholars to hold this conference. There is the well-known historian of the Azerbaijan National Academy of Sciences and doctor of science, Aydin Balayev, and one of the researchers of Azerbaijan Democratic Republic



and historian, Kamran Ismayilov. I would like to give the floor to Aydin Balayev.

**Aydin Balayev:**

- Dear participants of the conference! As you know, prior to the ADR parliament, a number of Eastern countries had set up organizations that called themselves parliaments. For example, there was a parliament in Turkey in the 19th century. But this parliament was a parody of a real parliament, because its members only said "yes" in response to the decisions taken by the sultan.

From this point of view, the first parliament, which was truly based on a multi-party system, started work on 7 December 1918. The heated discussions between various factions in this parliament demonstrated the true meaning of a real parliament.

The speakers at our conference today are Habibulla Manafli, the historian Kamran Ismayilov and the lawyer Erkin Qadirli. With your permission, I would first of all like to give the floor to Kamran Ismayilov. I should tell you that discussions will be held after the report of each speaker.

**Kamran Ismayilov:**

- Dear participants of the conference! First of all, I would like to say that I am very pleased to be here with you. Leyla told the participants about Sheki's role in Azerbaijani history. At a conference which we held here in Sheki two months ago, we spoke about Sheki's role in Azerbaijani history. At that time, we decided to write a big monograph that reflects the history of Sheki. The monograph is now about to be completed.

Indeed, Sheki is a region that has played a great role in Azerbaijan's history of national statehood. As an historian, I



would like to say that Sheki was one of the most important regions that resisted Soviet rule in the modern history of Azerbaijan. In general, historically Sheki residents have always had a feeling of freedom-loving, liberty and independence. In early 1918, before the Azerbaijan Republic was established and gained its independence, the square in the centre of Sheki was called Freedom Square. No other event of the sort had ever happened in the Caucasus.

Sheki residents bravely fought Armenian Dashnaks in 1918. There was a special Sheki regiment within the Turkish army. All this proves once again Sheki's important role in Azerbaijani history.

Sheki residents were also closely involved in the political life of the Azerbaijan Democratic Republic. A representative of this land and our prominent public figure, Abdulla Afandizada, was one of the most active members of the Azerbaijan Democratic Republic. In general, this region has played an important and productive role in the political life of the People's Republic.

Today I would like to give you some information about the role of the parliament of the Azerbaijan Democratic Republic in our history of national statehood. Those who spoke before me noted that this year marks the anniversary of three important events in our history - the 90th anniversary of the establishment of the ADR, the restoration of Azerbaijan's territorial integrity on 15 September 1918 - the liberation of Baku by Turkish troops, and finally, the establishment of the Azerbaijani parliament which was the first parliament in the Muslim East. These are regarded as the most remarkable events in the modern history of Azerbaijan.

After the collapse of the Russian Empire, the Azerbaijan Democratic Republic was notable for its democratic nature among all the states that were established there. Although a republican



form of government was established in all states, the Azerbaijan Democratic Republic (ADR) outstripped all of them in terms of democratic development. From this point of view, the ADR was a phenomenon.

What was this phenomenon? First of all, the principles of a democratic and law-governed state were established in all spheres of public-political life. If we take a brief look at history, we will see that all the regimes which existed in the East were despotic. The only and pleasing exception was the ADR. From this point of view, we should clarify the place of the ADR parliament in history and in the political system of the republic, because often, some prattlers with little information about the People's Republic turn some shortcomings into an absolute and try to distort history. For this reason, our information about the history of the parliament could put an end to biased attitudes.

The parliament played an extremely important role in the political system of the ADR. We can say that it formed the backbone of the political system. As I said just now, among the new states that emerged in Eastern Europe after the collapse of empires, Azerbaijan's democratic nature is proved by the important fact that neither newly-independent states nor states that had historical traditions recognized and guaranteed the rights of national minorities and political parties. From this point of view, Azerbaijan was a unique phenomenon.

When the ADR was established on 28 May 1918, one of its five provisions was to convene the Constituent Assembly, a supreme governing body in Azerbaijan, as soon as possible. The following developments - Turkey's defeat in WWI, Azerbaijan's occupation by Britain, the Armenian factor and other political issues - made it impossible to convene a body that represented



all the people. However, in early November 1918, it was clear that in order to find its place in the world and to be recognized by world powers, Azerbaijan should have a political body that would prove to everyone that Azerbaijan was a democratic state. The first step in this sphere was the establishment of a parliament after the Azerbaijani capital Baku was liberated by Turkish-Azerbaijani troops in 1918.

With the establishment of the parliament, important changes occurred in Azerbaijan's political system. The Azerbaijani parliament reflected all the positive particular features of the traditions of parliamentarianism that existed in the world at the time.

First of all, the principle of the division of powers were properly fulfilled. The law "On public servants and officials", which was adopted on 16 January 1918, was of special importance. Mammad Amin Rasulzada played the main role in the adoption of this law. According to that law, the executive branch of power was clearly separated from the legislative branch. In other words, a person represented in the executive authorities could never participate in the work of the parliament. Only people of free professions - teachers, lawyers, doctors and others - could participate in the work of the parliament. If you want to be represented in parliament, please submit your resignation, quit your government job and become a member of parliament.

Another positive service of the parliament was the ensuring of freedom of speech and the press in Azerbaijan. From this point of view, the adoption of the law "On the press" on 30 October 1919 was of special importance. If we compare this law with our modern laws and even with similar European laws, that law is far superior.



According to the law, no economic, administrative or legal restrictions were required. You only had to be an Azerbaijani citizen and have no administrative or legal judgment against you. Everyone had the right to open a press body. All types of censorship were banned. It was enough to file an application with the Ministry of Justice.

At the same time, I would like to mention the law "On citizenship of the Azerbaijan Republic", which was adopted on 26 August 1919. According to this law, all rights and freedoms of Azerbaijani citizens were guaranteed. According to this law, all people born in Azerbaijan were regarded as Azerbaijani citizens regardless of nationality, religion, language or sex.

An analysis of the laws adopted by the Azerbaijani parliament in 1918-1920 shows that our political leaders at the time were well acquainted with European democracy. Most of them had received higher education in Europe and invariably followed these principles in their activities. While talking about the ADR parliament today, we should never forget this.

We should also touch on the place of the ADR parliament in the political system of the republic. Sometimes a question arises as to why a parliamentary, not a presidential or other kind of republic was created at the time. At that time, the political leaders of Azerbaijan chose European democracy and the European legal system as the example to follow and demonstrated that they would always follow this path. In July 1919, a law was adopted on elections to the then supreme legislative body of Azerbaijan - the Constituent Assembly, which is currently called the Milli Majlis (National Assembly). This law was not adopted in one, five or 10 days. If we look at the text of this law, we will see that it reflected great democratic principles. That law reflected the division of powers, active and passive electoral



rights, a ban on campaigning in mosques and other religious places, the participation of political parties in the work of parliament, electoral procedures, the formation of electoral commissions and their activities. While participating in parliamentary debates on this law at the time, many European journalists who visited Azerbaijan admired its fundamental and democratic provisions. This proves once more that Azerbaijan set an example of democracy to the whole East at the time. This was a fundamental choice of Azerbaijan's political elite.

It is true that the parliament had some shortcomings and was even criticized for allowing Armenians to be so well represented, whereas the Armenian parliament had only two representatives from its large Muslim population. In fact, there was a clear logical answer to this. First of all, Azerbaijan was under great pressure at the time and British occupying troops had in fact been deployed on the country's territory. Aydin even stressed that the parliament was to open on 3 December 1918, but the commander of the occupying troops in Azerbaijan, General Thompson, did not allow it to open under the influence of Armenian and Russian propaganda. The general angrily said: Who are they to open a parliament without my permission? However, Thompson's subsequent contacts with Azerbaijan's political figures made him believe that these people were very progressive in their thoughts. For this reason, it was possible to do business with them.

As for the participation of Armenians in the work of the Azerbaijani parliament, it was in fact a great experiment of Azerbaijani democracy. Azerbaijani politicians deliberately included Armenians in parliament so that they could wage their struggle not in the mountains and in the streets, but in a civi-



lized way, that's to say in parliament, and recognize Azerbaijan's legislation and government in this way. In fact, this move served many purposes. In June-July 1919, the Azerbaijani government and army restored Azerbaijan's sovereignty over Karabakh, which proved once again that this step was correct.

When we take a look at the activities of the ADR parliament, we see that it was operating under extremely difficult circumstances. However, along with that, it continued to operate in full accordance with the principles of democracy and supremacy of the law. Prior to adopting laws, the relevant bodies of the government discussed them and then officially submitted them to parliamentary commissions. After being examined by these commissions, they were submitted to the plenary commission of parliament for examination. All this shows that the Azerbaijani parliament played a major role in the political life of society and no public or economic event was held which bypassed parliament.

It is regrettable that the occupation of Azerbaijan and the whole of the South Caucasus by the Bolsheviks, who maintained tsarism's policy of occupation, put an end to these processes. In fact, Azerbaijan's political elite had anticipated this threat in advance. Azerbaijan's Foreign Minister Fatali khan Khoyski proves this in his letter to the Russian Commissar of Foreign Affairs, Chicherin.

In general, the activities of the parliament of the Azerbaijan Republic show that the Azerbaijani people deserve to live in a democratic society and are capable of establishing a democratic government. Subsequent developments have shown that our people have always remembered the history of the People's Republic. When we talk about the territorial integrity and sovereignty of the Azerbaijan Republic today, we should remember its



main organizer, the ADR and its parliament, with respect. Thank you for your attention.

**Participant:**

- Why is it that a parliamentary rather than a presidential republic was chosen in 1918-1920? What is the qualitative difference between the ADR parliament and the present parliament of Azerbaijan?

**Kamran Ismayilov:**

- First of all, in the ADR, parliament was regarded as a supreme state body, while the present-day Azerbaijan Republic is a presidential republic. The main difference here is the division of powers. In the current period, all the main powers are concentrated in the hands of the president.

Second, the ADR parliament was different from the current Milli Majlis in terms of its formation. For example, the ADR parliament was based on the principle of national representation and a multi-party system. The Milli Majlis of the present-day Azerbaijan Republic is based on a first-past-the-post system, according to current legislation. If we compare them in terms of democracy, as a historian who studies that period, I think that the system then conformed more closely to all democratic requirements, although in some cases, that democracy led to a number of negative phenomena.

In some cases, there was a need for a strong and united government. The absence of such a united government, united centre and united leadership resulted in five government changes in Azerbaijan within two years. If any members of parliament did not like the people in government, the issue of a



vote of no-confidence was immediately raised. As a result, the parties voted against the government, which paralyzed the work of the government. The greatest shortcoming of that period were the lack of balance between the executive and legislative authorities.

**Leyla Aliyeva:**

- It is very interesting that the parliament of 1918 was not elected, but was formed on the basis of a quota. Even though there were no elections, it was more representative than today's parliament. I think that serious party structures had taken shape in Azerbaijan in 1918, and for this reason, parliamentary rule was inevitable. That's to say our political structure, from the left to Musavat, was based not on one personality, but on a specific ideology and political platform. For this reason, the parties were very well-developed. Therefore, parliamentary rule was inevitable.

**Kamran Ismayilov:**

- Leyla has touched on a very delicate issue. The idea that the parliament at that time was not formed on the basis of general elections is in fact one of the erroneous stereotypes about the People's Republic. In fact, this was not the case. The provisional government which came to power after tsarism was overthrown in Russia in February 1917 decided to convene the Constituent Assembly, which was a supreme legislative body. As was the case elsewhere, elections to the Constituent Assembly were held in Azerbaijan at the end of 1917. The Azerbaijani deputies who were elected to that body subsequently formed the basis of the Azerbaijani faction of 44 members in the Transcaucasia Seim.



After the Transcaucasia Seim was disbanded in May 1918, those 44 people set up the Azerbaijani National Council and proclaimed state independence. That's to say, all the people represented in the ADR parliament were elected in a nationwide election. For this reason, the Azerbaijani National Council, which proclaimed the ADR, was an absolutely legitimate body because they were elected by the people. Later, the members of the National Council formed the basis of the ADR parliament. However, the parliament also included deputies who represented mainly national minorities.

At that time, political parties played the main role not just in the parliament, but also in the political life of society. This was one of the main elements of European democracy and was received favourably in Azerbaijan. Of course, there were certain shortcomings as well, and in the end, they brought about the downfall of the national government.

**Participant:**

- What can you say about the participation of representatives of Sheki in the ADR parliament and in general, in the country's political life at the time?

**Kamran Ismayilov:**

- Every region had its own deputies in the ADR parliament. For example, the Nukha district was represented by two deputies in the Azerbaijani parliament. District elections were held there in November 1918. Abdulla Afandizada was one of the most active members of parliament. For example, on his initiative a pedagogical secondary school was opened in Sheki. Azerbaijan's great poet Salman Mumtaz also played a great role



in Azerbaijan's cultural life. For example, when Enver Pasha came to Sheki, Salman Mumtaz met him and recited a poem, and Enver Pasha was very pleased with this. In return, he gave Salman Mumtaz a very valuable present.

**Aydin Balayev:**

- If there are no questions, then let's give the floor to Habibulla Manafli.

**Habibulla Manafli:**

- After the massacre committed by the Dashnak-Communist alliance in March 1918, the idea of independence was accepted by public opinion in Azerbaijan. The fight for freedom gained ground in our country. The dilemma of independence or death became a major topic for consideration in society.

Practical activities that served to implement the idea of national freedom on the part of Azerbaijan's national leaders, which were recognized by the public after the March tragedy, draw attention as the main element of the political panorama of that period. In an extremely difficult public-political situation, they managed this task and implemented their national duty with credit even though this required great spiritual-psychological and intellectual power.

On 28 May 1918, the Azerbaijani National Council issued a "Declaration of independence" in the city of Tiflis. Speaking about the historical importance of this "Declaration of independence", Rasulzada wrote: "By publishing the 28 May 1918 declaration, the Azerbaijani National Council, in the political sense of the word, confirmed the existence of an Azerbaijani nation. Thus, the word Azerbaijan is no longer a geographic, ethnographic or linguistic word and has acquired a political meaning."



The idea of national freedom turned into a powerful spiritual energy and set the creative force of the nation into motion. This idea revived the feeling of national dignity which had been suppressed by the 100 years of colonial rule and encouraged Azerbaijani Turks to resolve extremely difficult issues that emerged on the path of independent statehood. During the war inflamed by the Dashnak-Bolshevik regime, the main factor that gave impetus to extraordinary processes, such as the creation of state institutions, was the amazing power of national will.

Although the leaders of the Azerbaijan Democratic Republic paid serious attention to settlement of economic and political problems, they attached greater importance to the elimination of the negative consequences of the policy of discrimination against our national-spiritual values under colonial rule. They properly thought that the creative process in socioeconomic spheres could be completed successfully only on the basis of restored national values.

The "political meaning" of the name Turk, which indicates our national affiliation, and the word Azerbaijan which indicates the name of the country, the declaration of the Turkish language as the state language, the replacement of Russified place names with historical place names were important missions carried out in order to restore national values.

Rasulzada extensively interpreted the true essence of the Azerbaijan Democratic Republic and put on record: "Although all the other states of Turkic origin are based chiefly on religious foundations, the Azerbaijan Republic is based on foundations of modern national-cultural independence and a Turkish national democratic state system, and from this point of view, our republic is the first Turkish state."



The ADR was a parliamentary republic. The government reported to parliament. There was political pluralism here. The parliament really supervised the executive authorities. The methods of parliament's work can serve as example not only to the East, but also to the West in terms of democratic values. Let's mention a comparative fact which proves this. The law "On the establishment of the Azerbaijani Assembly of Founders" was adopted on 19 November 1918. According to that law, all peoples living on the territory of the republic and both sexes - men and women - were granted equal electoral rights. For the sake of comparison, we should say that the election law in the USA, which is regarded as the vanguard of democracy, had been operating since 1787. According to that law, only men had the right to vote and to be elected. This law also provided for a property limit. This provision even deprived some men of their electoral rights. In the USA, women were granted the right to vote only in 1920, and blacks only in 1960.

The Azerbaijani parliament was supposed to have 120 members. Eighty mandates were to be given to Azerbaijani Turks, 21 to Armenians, 10 to Russians, one to Jews, one to Germans, one to Georgians and one to Poles. Three seats in the parliament were to be given to the Council of Trade Unions and the Union of Oil Industrialists.

In the Azerbaijani parliament, Sheki was represented by Abdulla Afandizada. Speaking from the pulpit in parliament, he announced the establishment of the Ahrar party and a new parliamentary faction was formed around this party. This faction, led by the Ahrar party, took the leading position and played a decisive role in the preparation of a draft law on agrarian reforms.



Abdulla Afandizada quit the Ahrar party later and defected to the Unity and Progress Party. He belonged to the group of "annexationists" who wanted to protect Azerbaijan from all trouble by merging with Turkey. In a preface to the collection of political speeches, entitled "Either death or Turkey has won everyone's heart and mind", which was published by Sheki's "Culture publishing house" in 1919, Abdulla Afandizada explained his defection to the Unity and Progress Party in the following way: "A nation cannot live without ideals. Ideals can be achieved only thanks to honour and effort. If you have no honour, you cannot win victory. Our national ideal is a union of nations and union of languages through merger with great Turkey and the establishment of a great and scientific sultanate. For this reason, we accept the programme of the Unity and Progress Party with great pleasure."

There were no contradictions between the concept of the people, which was reflected in the name of the Azerbaijan Democratic Republic, and the essence of this state. The republic prioritized the principle of social justice and decided to hand over land to villagers. It created a strong army within six months, prevented Armenian separatism in Karabakh and returned the nation's name and language to the people.

The short period in which the Azerbaijan Democratic Republic existed is the most remarkable period of our history which filled our hearts with a feeling of national pride and stands unequalled in centuries. As years pass by, we will realize more clearly how great our honourable history was and the sacrifice, heroism and bravery of the generation that created it.

**Leyla Aliyeva:**

- Thank you. Now I want to give the floor to Erkin Qadirli, who will speak about the current state of parliamentarism in the country.

**Erkin Qadirli:**

- When we compare our Milli Majlis with the ADR parliament, the first thing that catches the eye is that the modern parliament does not have party factions. This means that there is no political work in parliament. If there is no political work, this means there are no politics in parliament. There is good reason why the speaker of the previous parliament once said: "This is not a place for discussions." This is very characteristic. He did not just let this slip. When an issue crops up in our Milli Majlis, as a rule, they say that the president is dealing with it, you have no idea about this and you don't understand. Clearly, parliament's job is to speak, discuss and express the people's concerns and interests. What else is a parliament for? The purpose of parliament is to discuss our problems, represent our interests, discuss them and make decisions on that basis.

Look how many parties there were in the Azerbaijan Democratic Republic and how many factions there were in that parliament. If you read the minutes of that parliament, you will see that the main ideas discussed touched upon liberty, freedom, human rights and justice. Look at the rhetoric now: gross domestic product, Baku-Tbilisi-Ceyhan, gas and so on... The government has never used the word constitution. Have you ever heard the president or any minister using the word constitution? As a lawyer, I have never heard them using this word.

We only have a constitution as a formality, in the form of a book. But things can be different. For example, Great Britain has



no written constitution, there is only the idea of a constitution, there are ideas and people believe in them. The well-known Austrian mathematician, Kurt Goedel, emigrated to America after the Nazis occupied Austria. His close friend Einstein advised him to take American citizenship. He said: As a formal procedure, they will ask you questions about the constitution, therefore, read the American constitution. He read it and made a mathematical analysis of its text. The next day, he met Einstein and told him that he had invented a new mathematical formula. According to my mathematical analysis, you can establish a dictatorship in America without violating its constitution. Einstein did not believe it at first, but after he read Kurt Goedel's notes, he realized that this was really possible. It is possible to establish a dictatorship in America without violating its constitution.

Einstein advised Goedel not to mention this in court in order to obtain citizenship. The issue is that science says it is possible. But people say the opposite. They say no, this is impossible, and we believe that our constitution is the most democratic constitution in the world.

Azerbaijani society is living with a dream of extremely objective truth, and this is impossible. A wish, belief, will and a bright future - it is good to wish all of these things, but it is also important to implement all this. The founders of the Azerbaijan Democratic Republic had a world outlook. They knew very well what they would establish, but they were not sure whether it would work. They sincerely believed that it was necessary and important.

However, when we look at the present day, our system is very strange. The reason is that we do not have a world outlook. We don't know what we want, where we are going and who or what we are. For this reason, the Azerbaijan Democratic



Republic is probably the most successful example in Azerbaijan's history. It is very important to maintain, remember, study and promote it. If this does not happen, we will struggle a lot, seek the objective truth and wait for hope from impossible places, though the key to all problems lies in our hands.

The system that exists in Azerbaijan today is a very unsuccessful system, because through appointments everywhere, everyone regards themselves as a leader, not as a servant. Why do you think Mammad Amin Rasulzada's personality is so appealing even though he did not hold an important position? You know there are two types of leadership: to be a leader by setting an example and to be a leader by governing. Mammad Amin Rasulzada was worthy because he ruled by setting an example, not by governing.

Even though the ADR lasted only 23 months, it deeply marked our history and we should maintain this history, although rather than maintaining our history, we erase it and write it anew, then we interpret it and erase what we interpret and write it again. Thus, our history consists of several layers. For this reason, it is very difficult for us to maintain our history.

For this reason, leadership through government is preferable in our country. There are shortcomings in our language as well, and they should be removed. For example, to explain, expert... What is to explain? Does it mean that the head has a lid and you will open it and put things inside? This means that the language should be cleared and words should become clearer. People do not rely on themselves and have no idea. In general, people have no idea. We are living in a very arrogant and ironic environment. In an environment that is not ideal, you should definitely watch someone in order to make them do something, because, if they are given free-



dom, they will not know what to do with it. There is nothing they believe anyway. This is an environment devoid of spirituality.

For this reason, this system is a rotten system. It is a system void of spirituality and those in power realize this. They know that they have no good ideas they can put forward, and for this reason, they cannot give people independence because they know that if they give people independence, they will lose their power. That's why they appoint their people everywhere and strengthen control.

They often say we are an Eastern country, we are a Muslim country, we will have no democracy, a parliamentary republic does not suit us and so on. All this is empty words. If we are really to choose something, we will make it work. We are the ones who should choose this system. How come these people made those whom they elected work in 1918, established a parliamentary republic and organized a coalition government. Yes, there were changes later on, but there were still common ideas. People had a clear view of the future. These people believed in and relied upon their power and each other. There is none of this in the current system. That's why the first thing that crosses their mind is to punish, strengthen control and so on. A presidential republic in its current form is the most convenient tool for this, because you would not be able to do this in a parliamentary republic.

A system that does not give people freedom will never be strong. Why were there no revolutions in England? There was only one revolution and they called it the "Great Revolution" and executed the king. That's it. Here is an historical fact: In 1215, King John I signed a document called the Magna Carta in Britain. Article 39 of this said that "no-one can be deprived of their freedom and property without a legal court decision". The



meaning of the Magna Carta was that the English realized that it was necessary to give people more freedom in order to strengthen the central government. This is something the peoples of continental Europe did not realize for a long time. That's why they created one revolution after another.

In both senses, it is necessary to give people more freedom in order to keep the central government stable and sustainable. What happens then? Then, people rely on themselves and rely less on the government. If you have less hope in the government and rely more on yourself, this means that the influence of the government's policy on you will not be so great. In our country, people expect the state to give them some money and when they don't get it, they feel hurt. But the English say that I am not giving money, go and make money yourselves. This is a free and liberal market economy.

The court is the only body the expansion of whose powers serves to extend people's freedom, because the courts never examine a case on their own initiative and they oversee the executive authorities. If you extend the powers of another government agency, it will be at the expense of people's freedom. English history clearly demonstrates this. For this reason, they have such a rich legal culture. In the 19th century, there was a lord named Earl Grey. While conducting an election reform, he told parliament - you know me very well and you know that I am probably the biggest opponent of democracy amongst you. But I don't want a revolution. My opposition to revolution is stronger than my opposition to democracy. For this reason, I am voting for this election law. Otherwise, we will witness a revolution.

A very wise decision. He says I am against democracy, but what should we do? If we don't do this, we shall be overthrown.



History has many such edifying cases. The issue is simply that we look on all cases as science and objective truth and this begs a question. So what? If you cannot learn a lesson, then there is nothing. If we cannot learn a lesson, then we will repeat the same mistakes. Knowledge in itself cannot save us.

**Leyla Aliyeva:**

- Thank you, that was very interesting. Now the floor is given to participants. If you have any comments, ideas or thoughts, please go ahead.

**Participant:**

- We had ancient experience of statehood before the ADR. Given this, why should we only take the ADR as an example?

**Erkin Qadirli:**

- I have expressed my views on this. I said that the Azerbaijan Democratic Republic is the only successful example of statehood. There were many examples of statehood before, but if we are talking about the foundations of statehood, we are talking about models that can be presented today. So what: Shah Ismayil is our history, should we go back to monarchy? This is why I said that the Azerbaijan Democratic Republic is our most successful example from which we can learn a lesson. We do not have to establish a parliamentary republic. We can establish a presidential republic instead, but only a real presidential republic, not the mayhem we have now.

For example, like in America - with the separation of powers, democratic elections and a free press. In 1918, these ideas did not come to Azerbaijan from the Central Intelligence Agency, the



Soros Foundation or the UN. All these did not exist at the time to say that everything was planned. Okay, let's assume that we are saying all this, but people did not get grants from anyone at the time and they did not have contacts with anyone. They themselves thought, created and fought.

**Participant:**

- I would like to express my thanks to Erkin for such an interesting philosophical speech and I would like to ask one question. It is true that we should know history and learn from it? But all people in government make historical mistakes. How should we, young people, learn a lesson from history? Or what can young people achieve by learning a lesson from history?

**Erkin Qadirli:**

- Thank you for your question. The meaning of the word lesson sounds a bit mystical and a lesson is not a simple action. A lesson is possible only in an environment of free choice. For this reason, we should first of all secure free choice. It is true that this will take a long time. For example, we can make a plan and pin our hopes on it, but we don't know what will happen in two hours' time. Neither did the founders of the Azerbaijan Democratic Republic. They just pinned their hopes on this. If we do not strive to achieve our ideals, then we will not achieve anything.

I want to give you a fine example of this: a correspondent of The New York Times, Thomas Friedman, speaks about his visit to Beijing in one of his books. There is a company called "Hi-Tech Company" there. When he walked into the company office, he saw that something was written in big hieroglyphics on the floor at the entrance. He asked what was written there. They



told him that it was a proverb from an African tribe. Friedman was surprised and asked what the proverb said. They translated the proverb for Friedman: "The gazelle wakes up every morning and knows that he should run faster than the fastest lion, otherwise he will be eaten. The lion wakes up every morning and knows that he should run faster than the slowest animal, otherwise he will starve to death. Conclusion: it does not matter whether you are a gazelle or a lion. It is better if you start running as soon as the sun rises."

You know, we are afraid that we cannot do it, no-one will allow us, we are not capable of anything, there are bigger people and bigger countries there. By doing nothing, we give ourselves negative answers. Every time there is someone around us who says "this is a mere trifle". When no-one says that, we ourselves give that answer, and in this way, we always hope for something. Given this, we should make a free choice and always fight, even with our own identity. Sometimes even one personality is enough for that, and sometimes there are people whose personality or even their identity irritates someone. Why does Mammad Amin Rasulzada irritate some people here? Even his name was removed from Baku State University, although when I see the current state of Baku State University, I say to myself that it is good that his name was taken away from it and this period is not attributed to him.

In an environment which is not free, a person can be irritating thanks to his personality and through this he can create an environment of free choice. Yes, I accept that it is very difficult to explain this in words. But the main thing is that you do whatever you want, without listening to what others tell you to do. Think of not cutting the coat according to the cloth, but of changing the coat.



Do you know what the lesson of free choice is? For example, let's take the market economy. Adam Smith explained it in the following way. Let's assume you have come to a restaurant or a shop. One person meets you, smiles at you, treats you well and starts explaining his services. You wonder why he is doing this. He does not know you at all. Does he like you? No. Is he your friend? No. Does he love you? No. He is seeing you for the first time in his life. Why is he doing this then? Because he expects something from you. He expects your money. Because he knows that if he gives you those services and you like him, you will give him money in return. And next time, you will go there again.

This is the logic of politics. If this man becomes a member of parliament and knows that he really depends on someone's vote, he will take care of his voter. Barack Obama walked from one street to another and from one door to another because he knew that he depended on voters. A government that depends on voters definitely does everything for voters. A government that does not depend on voters will not think about voters at all. But it is wrong to expect someone at the top to change something. From below, you can expand the environment slowly like an oasis. The word slowly should not discourage you. Azerbaijan is a small, but a very dynamic country. Everything can be done very quickly here. The most important thing is that you should be free, because the founders of the Azerbaijan Democratic Republic did not see those ideals in their dreams overnight. They grew up inside authoritarian tsarist Russia. But it is also true that their lives were definitely better than now.

### **Participant:**

- I want to note one thing. I wanted to cooperate with one organization. We had even prepared questions. We went there



and no-one answered our questions. They said that they had some business elsewhere on that day. Instead, someone accompanied us and said that he was not authorized to answer those questions.

**Erkin Qadirli:**

- He acted properly. Why should he answer you? He was not elected. Look at the situation through his eyes. He knows that he was not elected. You have a lot of work to do. I have been in contact with many students like you. Sometimes you see that a 17-year-old man enters the first grade and says that he will not be able to do anything, as if he was 70, his life had already passed and he had tried a lot of things, but achieved nothing. But he does not know that he should be hot-tempered at that age and learn everything by his mistakes. But at 17, he is already looking for a ready truth and absolute justice. This is not possible.

**Leyla Aliyeva:**

- When I drew up a project in 2005, the first thing I had in mind was that history is the most important component of national identity. National identity is precisely based on historical memory. You know that the Soviet authorities changed our alphabet twice and used thousands of means to erase our rich history from our memory. The Soviet authorities wanted to create a completely new nation. For this reason, it is very important for us to go back. I am very happy that Erkin spoke about history with great pleasure this time, whereas when he addressed our first conference in 2005, as a lawyer, he did not really acknowledge the role of history.

**Erkin Qadirli:**

- An historical fact depends on the idea and point of view of whether we want it or not. There are historical methods in history. It is not dependent on your will and you do not interfere with it. That's why politics cannot interfere with it. But here politics can interfere with the time difference between Heydar Aliyev and Mammad Amin Rasulzada. It influences the sense of time, various interpretations arise. Law and philosophy are the same. For this reason, I cited the example of Kurt Goeden. The American constitution is just a piece of paper, it was adopted 200 years ago and has only seven articles. When you read it, you cannot believe that such a great power can be established on the basis of seven articles. The point is not those seven articles. Britain does not have a written constitution at all. The issue is about faith in ideals and about consensus. People in countries like America and Britain cannot reach agreement on many things. But there are a number of fundamental ideals that everyone accepts.

**Participant:**

- What do you mean by faith?

**Erkin Qadirli:**

- Of course, nothing happens without faith. An ideal is not something you can see. You know, freedom cannot be measured with a ruler, interests cannot be weighed by scales and conscience cannot be seen with X-rays. These are ideals.

**Participant:**

- Do you recommend using the first-past-the-post or proportional system in Azerbaijan?



### **Erkin Qadirli:**

- The first-past-the-post and proportional systems are only mathematical systems. Both have their own faults. For example, in a first-past-the-post system - we can even see it from its name - first-past, that's to say a candidate who gains the most votes in a constituency wins the election. At first glance, this is normal - you have to gain the most votes in order to win. But the first-past-the-post system has two important shortcomings. The first one is that in a first-past-the-post system, those who vote for the defeated candidate are not represented in parliament. The second is that in the first-past-the-post system, the party which gains the most votes at the national level can be in a minority in parliament without any ballot-rigging.

Imagine that a country has been divided into constituencies and every constituency has 40,000 voters. Let's assume that the representative of Party A gains 25,000 votes in Constituency 1, while the representative of Party B gains 15,000 votes. Which party wins? Party A. The representative of Party A makes it into parliament from this constituency. In Constituency 2, the representative of Party A gains 25,000 and Party B 15,000 votes. The representative of Party A makes it into parliament again. Party A already has two deputies. In Constituency 3, the representative of Party A gains 5,000 and Party B 35,000 votes. The representative of Party B makes it into parliament from this constituency.

Now let's calculate: Party A gained 55,000 votes in total and Party B 65,000. Party B has one deputy, while Party A, which gained 55,000 votes, has two deputies. That's to say, there is no perfect system. It is enough to believe that the votes are counted correctly and the election campaign was fair.

In the proportional system, you vote not for candidates, but for parties. The proportional system can be regarded as the

opposite of the first-past-the-post system, because when you vote for a party, it has its own list and has as many seats in parliament as the number of candidates on that list. The party makes its list in advance. For example, the party gained 17 per cent of 100 seats, which means that the party will have 17 seats in parliament. But the party itself identifies those 17 people. We can also assume that the candidate you like is number 20 on the list, but only 17 people will get into parliament. This can be regarded as a negative aspect of the proportional system. For this reason, most European states hold elections based on a mixed system. In parliament 50 per cent of seats are based on the proportional representation system and 50 per cent on the first-past-the-post system. The aim is to ensure that the shortcomings of the two systems can balance out each other.

**Leyla Aliyeva:**

- Let's conclude our conference. Let's give the floor to our guests one by one. I think the main conclusion is that we believe once again that history is really of great importance. Even though history is not an exact science, it is very important. By returning to history, especially the experience of 1918-1920, we can prove that the Azerbaijani people have a potential for reforms.

We will publish the issues that were discussed here in both Azerbaijani and English. I think that our discussions were very interesting. I would like to thank our speakers - I thank Habibulla, Kamran Ismayilov, Erkin Qadirli - and I would like to thank you for participating in our conference so actively and sincerely. I am very proud that you can conduct such free and high-level discussions and still have such an ability.

I would like to express my special thanks to the US National Endowment for Democracy. With its support, we are conducting seminars on these historical issues. I would like to express my thanks to Orkhan Mirzayev and Alirza Qahramanov. I want to note that our office is always open to you.

## **EUROPE AND AZERBAIJAN: 100 YEARS AFTER**

**Ganja  
20 December  
2008**

### **Part 1**

#### **Hasan Huseynli:**

- Dear ladies and gentlemen. Today is almost like a holiday in Ganja. Our distinguished guests, two organizations that are carrying out very important work in the public life of Azerbaijan - the Centre for National and International Studies and the Azerbaijan National Committee for European Integration, took the initiative and decided to hold the most important of a series of events which they are organizing nationally in connection with the 90th anniversary of the Azerbaijan Democratic Republic in the city of Ganja. I would like to express my thanks to these two organizations for their valuable initiative and I will give the floor to Leyla Aliyeva to open the conference.

#### **Leyla Aliyeva:**

- First of all, we would like to express our thanks to Hasan for all the help he has given us. Ganja is of course a special city for every Azerbaijani. When abroad, situations often arise in which controversial historical events are discussed and sometimes an article is published which does not reflect the historical reality. For example, there have been articles saying that Azerbaijan was the only country in the Caucasus that surrendered to the Bolsheviks without resistance. Of course, this was not the case and the fact such articles were written was of concern to me. Facts about Ganja's resistance to the Bolsheviks in May 1920 and about the thousands of defenders of the Azerbaijan Republic who were killed during the Red army occupation served a convincing counterargument in such cases.



**Mehriban Vazir:**

- I am very pleased by Leyla's sincerity. Ganja is indeed a wonderful place for us. What Leyla said is the voice of our hearts and the voice of Baku. This city is associated with great historic events, Javad Khan, Musavat and other important people. But there is indeed little knowledge about history of our country abroad. That's why we ourselves should promote our rights throughout the world and utter these words until everyone hears and knows us.

**Leyla Aliyeva:**

- Mehriban, thank you for making a very good comment. We have brought books here and we would like to draw your attention to these books. For example, "Ali and Nino" is currently one of the most famous books in the world and has been translated into many foreign languages. This book is mainly about love. But for me, the most important part is the last two paragraphs. These paragraphs are about the events at the Red Bridge in Ganja. Although it is only two paragraphs, these lines are about Azerbaijan's spirit of freedom. And it is this spirit that prompted us to start these conferences. The Azerbaijan Democratic Republic is the most important component of our national identity. Thanks to it, modern Azerbaijan laid the foundations of its national identity. For this reason, we should know our history.

We have invited well-known scholars of the Azerbaijani National Academy of Sciences here in order to organize extensive public debates. Unfortunately, Jamil Hasanli had to cancel his visit at the last minute.

Arzu Abdullayeva and Mehriban Vazir - are real heroes because they got up from their sickbeds and came to the con-



ference despite the fact that they were ill. I am very happy about this, and I should say that I spoke just now on behalf of the Centre for National and International Studies. Though this independent research institute is small and relatively young, it has implemented a number of interesting projects. We have already held our first conference in the city of Sheki. But we wanted to hold a bigger conference in Ganja, because Ganja is the main city of our modern history. For this reason, we organized this conference together with the commission for European integration, and the current chairperson of that organization, the prominent public figure Mehriban Vazir, will give you information about this organization and welcome you. Thank you.

### **Mehriban Vazir:**

- Thank you, Leyla. I would like to welcome you all and I am very happy to be in Ganja today. Ganja is indeed one of the cultural and spiritual centres of our Azerbaijan. It is a very precious place. Like every inch of our land and country, it is a beloved and valuable place. This place is linked to great events. I greet this land, this country and region and every one of you. I would like to express my profound respect for you.

I would like to brief you on the National Public Committee of Azerbaijan for European Integration. This committee was set up in 2006. It was founded and started work on the initiative of a number of active public figures who are well-known in our country and abroad after the signing of a memorandum. I would like to highlight the fact that it would be nice to have such an organization in Ganja. This organization supports Azerbaijan's integration into the Euro-Atlantic area, follows this important process, carries out monitoring to support it and conducts surveys,



assessments and evaluations in this sphere. I think that it would be interesting to bring this experience from Baku to Ganja.

As I said, we have managed at all times to establish a state, even in the mouth of dragons breathing fire. We have managed to put up all kinds of resistance to protect our state. However, despite that, the enemy always managed to occupy us. In other words, we established our state and were able to maintain it. When the Bolsheviks came - I don't want to name a figure here as I might make a mistake and historians can be more accurate on this - about 300,000 people were subjected to repression, arrested or exiled. In the 1920's, there was a broad resistance movement against the Bolsheviks. In every region, everyone fought without exception. We are a people who can fight for our freedom and independence. The prerequisite of our life is justice. If there is no justice, we suffer a great deal. For this reason, I think that European values and our values coincide. We are Europeans.

**Leyla Aliyeva:**

- I would like to add that there are two interesting articles here. I don't know whether you have read them or not. One of the articles was written by Hikmat Hajizada, well known democracy promoter, and the other by Anar Mammadkhanov, member of the Parliament. It is curious that they both advanced the same idea: they perceive traditional and modern values in the same way. That's to say, if we go into detail, we can say that we are all very close and similar regardless of nationality. It would be good if we had sent you these articles earlier so that we could discuss them now. But it seems to me that these discussions will take place anyway. Now allow me to give the floor to candidate of history, Kamran Ismayilov.



### **Kamran Ismayilov:**

- This year we are marking the 90th anniversary of the Azerbaijan Democratic Republic, which was the first democratic republic in the East. Our conference is a logical continuation of ceremonies related to that anniversary. The Azerbaijan Democratic Republic played a great role in our history of national statehood, especially in the formation of relations between East and West. Unfortunately, although the role of the Azerbaijan Democratic Republic in our history of national statehood has been studied a lot and there has been substantial discussion of this subject recently, the issue of studying the republic as a state opting for European values has been put on the back burner, whereas the economic, social and political experience of the republic shows us once again that, in general, Azerbaijani society was a phenomenal state that organically combined Eastern and Western values. The ADR was also a phenomenon because all the states that had existed until then, not only in the East but in the whole of Asia, had been despotic. For the first time in the East, all power in the Azerbaijan Democratic Republic belonged to a parliament elected by the people.

From this point of view, the historical experience of the Azerbaijan Democratic Republic is a source of national pride to us and a source of rich experience for the Eastern world, and it should be studied in depth. Of course, when we talk about cultural relations between Azerbaijan and Europe in general, we should look at the roots of the Azerbaijani national movement, because all the leaders of this movement - beginning from Akhundov, Zardabi, Ahmad Agaoglu and Huseyn Javid to Mammad Amin Rasulzada - regard the appropriation of Western values as the main task of Azerbaijani society. It was



Azerbaijanis who implemented Gasprinski's slogan "Turkism, Islamism and Modernism". From this point of view, Azerbaijan's prominent public figures and thinkers Ali Huseynzada and Ahmad Agaoglu are proudly portrayed as people who laid the foundations of Europeanization in the East. Commenting on this, our prominent thinkers said the following: "We should appropriate Western values first of all in order to promote and strengthen our Turkism and Islamism in the world."

From this point of view, the work "Three Cultures" by our great thinker Ahmad Agaoglu is worthy of note. In that work, the author divides world civilization into three and draws the conclusion that the course of historical processes demonstrated that Western culture had gained the upper hand. The only salvation for Muslims was to join this process in time and appropriate Western values. In my opinion, the ADR's steps in this direction are very significant because our great leader Mammad Amin Rasulzada also said that "the greatest element of cultural activity is to establish a national state".

Most of the ADR's public figures had been educated in Europe and had appropriated Western values. However, one of the main issues facing the republic was to revive the national and moral values of Azerbaijan and take a worthy place in the European community. Experience showed that they managed both tasks with credit. If we take a look at the structure of the parliament, its legislative activity and working principles, we will see that the modern legal system of Europe was totally accepted there. Most parliamentary factions recognized the inviolability of private property. At the same time, they tried to ensure the equal development of various legal systems. They adopted very important laws concerning entrepreneurship. They tried to



enforce a progressive tax system. With the establishment of the National Bank, the foundations of a single currency-credit system were laid in Azerbaijan.

All these facts show that our national public figures of the time had a very progressive world view and were trying to implement the liberal principles that were already emerging in Europe. Freedom of the press and of speech was enforced, which was unprecedented in the East at the time. If we compare the statute on the press adopted in 1919 with modern laws of the world on freedom of the press and speech, then the law that was adopted in 1919 was superior because, according to that law, any person could easily open a press outlet. Government agencies were totally banned from interfering in any affairs of that press outlet, except for economic affairs.

It is curious that in that period, five people who belonged to Armenian political organizations published radical newspapers in Baku. The ADR leaders' tolerance resulted in them ultimately distancing from their radicalism. As a result, the Armenians who founded these newspapers recognized Azerbaijani statehood.

If we look at European parties today, we will see a classification there. But the ADR had already accepted this classification. On other issues, the European principles of parliamentarism and rules of democratic co-existence were also put into practice in Azerbaijan. From this point of view, they always defend the following idea: "Societies that love and fight for justice can become nations." Azerbaijan, which has been fighting for its freedom and independence since ancient times, created its own values as a great nation. Although the occupation of the republic by the Bolsheviks in 1920 led to the downfall of national statehood, the spiritual values left behind by that period of



independence were never erased from our collective memory. Thank you very much.

**Leyla Aliyeva:**

- Thank you, Kamran. That was a really interesting and touching speech. I would like to invite you all to take part in our discussion. I think that discussion is the most important part of these conferences. If you have any questions or comments, please go ahead.

**Participant:**

- Dear guests, today is a very remarkable day in Ganja. The problem is that there is no specific concept. We have a habit - we try to exaggerate what we get and belittle what we give. I worked as a professor in a Turkish university for 10 years. When I returned, some people did not accept my words unambiguously. First of all, I would like to say that we have to remember that if we do not use as much ink as the blood that we have spilt, the world will not acknowledge that we are right. Turks have a tradition: to have their say on the field with a sword. But our enemies, including the Armenians, have been defeated on the battlefield but have won the propaganda campaign.

I would like to highlight one more issue here - the white flag concept. It is alleged that in April 1920, we, Azerbaijanis, raised the white flag and the Russians occupied our country. As Kamran said, the ADR was not an aggressive state and in that period Azerbaijan had no power to stand up to Russia. In fact, there is an issue that has not been touched upon here. The freedom movement that began in Anatolia at that time maintained contacts with the Russians and the Russians did everything to



support the Turks. In return, the Russians were given free rein in the South Caucasus.

I would like to raise one more issue here - Azerbaijan's aid to Turkey. We have always heard that Turkey is our brother. Has Azerbaijan never helped Turkey? One of the most famous societies in Azerbaijan in the early 20th century was the Baku Muslim Charity Society. But there is little information about it, although it carried out very important work. In 1915, representatives of the Caucasus Muslim Charity Society got the tsar to sign a document granting status to all Turkish prisoners of war. In order to help prisoners of war from Anatolia, the charitable societies of Baku, Ganja and Yerevan set up a special commission. Hospitals were opened for the wounded and funerals were organized for the killed. They took Turkish prisoners of war who died on their way to Siberia out of carriages and buried them according to Muslim rites with a mullah. They helped Turkish prisoners of war on the island of Nargin. They saved Alihsan Pasha from Siberia and took him to China, from China to Europe and then home.

There is an American historian McCarthy. He has published a book entitled "Death and Exile". In this book, he writes that the Russians killed about five million Azerbaijani Turks in the Caucasus. Normally, there is a recipe in world culture: "A political institution makes it possible to determine the level of development of a nation in terms of statehood." From this point of view, it is the ADR that makes it possible to say that the history of Azerbaijani statehood occupies a special place in the history of world statehood. Our greatest mission is to make the world hear the truth about Azerbaijan. Thank you.



**Leyla Aliyeva:**

- I would like to tell you about a debate between two American historians several years ago. One of them was of Iranian origin and the other was Kemal Karpat, a world-renowned historian. The former said: "You, Turks, artificially imposed Turkic identity on Azerbaijanis in 1920, and thus only the elite felt themselves Turks. Prior to that, they regarded themselves as Persians." Kemal Karpat gave him the following answer: "You seem to have forgotten history. These ideas were spread not by Turks, but by Musavat emissaries who came to Azerbaijan from Turkey in the early 20th century. It was not Turkey that influenced Azerbaijan, it was Azerbaijan that influenced Turkey." I think that this is a much more important issue. Azerbaijan was not just a democratic and progressive place, it also has the power to influence much greater countries. From a political point of view, Azerbaijanis had a great influence on the Constitutional Revolution in Iran and on developments in Turkey. I mean that Western and European values were not imported into Azerbaijan in the 19th century. They took shape inside Azerbaijani society. Now if anyone would like to take the floor, please go ahead.

**Participant:**

- Dear participants in this conference. I would like to thank you for coming to the ancient city of Ganja today. By coming here, you are maintaining the spirit of members of the Republic. I would like to highlight one thing. After 1920, Musavat was erased from our history. The occupation of Azerbaijan by the 11th Red Army in 1920 brought about great tragedies in our family. Soldiers invaded our house and shot my grandfather. The



next morning, they destroyed all his manuscripts and books. During the republican period, my grandfather created a book of the national alphabet. I have brought that book here today. The second part of the book contains the following advice: "My son, go to school and take note of every subject. Be clever, don't join the hooligans and please stay out of trouble." As soon as I can, I'll have it printed in large quantities and distribute it to young people.

In 1925, the ADR marked the 25th anniversary of my grandfather's pedagogical activity. I have been engaged in research and have been collecting information about my grandfather for 25 years. I have found many valuable documents, including Ahmad Javad's work written in 1919. Taking advantage of experts' participation in this conference, I would like to ask them where I can get additional information about my grandfather.

The picture shown in the film was taken in front of Khanbagi in Ganja during the republican period on 23 May 1919. In the middle, there are Jalil Mammadquluzada, Rafibayli, Haqverdiyev, Khoyski and Nasib Yusifbayli. I would like to say that all the participants in the 1926 teachers' congress were executed later and, in 1929, our alphabet was changed. In 1937, they exterminated our intellectuals again. In 1936, an order was issued that if the previous alphabet was found in a person's home, they would be executed. In 1939, they changed our alphabet again. Poor people! Academician Mirali Qashqay, Academician Hamid Arasli, Ali Quliyev and people's artist Adil Isgandarov, Mirjalal Pashayev and others had been educated in the previous alphabet. At the same time, they did not change the Armenian or Georgian alphabet.

I would like to express my thanks to you.



**Kamran Ismayilov:**

- If I am not mistaken, an alphabet reform commission was set up in 1919, and your grandfather was included on that commission. Unfortunately, the protocols of that commission did not survive. However, the initial protocol is in our National Archive. You can see it.

**Participant:**

- As a citizen and an individual, I would like to raise my head and know what is going on behind me and where my future is headed. None of these questions are easy. But what is an optimistic approach? In general, if we take Turkic roots, we can see that they have always been inclined towards illumination and progress in the East and have traveled a path of development. There is a certain optimism in us. But man is also a biological creature. There is a process called degeneration in biology. If you don't take care of people and don't enrich them with new knowledge and don't support them, the process of degeneration will occur. Signs of this process can be seen in Azerbaijan today. For this reason, Azerbaijani intellectuals should set themselves the goal of standing up to all of that. I am a teacher, and I would like to tell you about something I witnessed in Estonia. For example, if a student does something immoral in society, five or ten students speak to him privately and tell him that he did wrong. But in our country, one narrow-minded student is enough to turn one, five or seven bright students into a person like him. In order to stand up to this, our intellectuals should work round-the-clock on this. This is no ordinary problem. Thank you for your attention.



### **Hasan Huseynov:**

- Today's conference is very animated. I would like to thank everyone participating in the conference here and the guests from Baku for this. The course of the conference shows that participants are well-versed in the subject. For this reason, I think that the next part of the conference will be interesting as well. Our esteemed journalist, Zakir Murad, who represents Space TV in Ganja, has made a very interesting documentary about the 90th anniversary of the APR. Let's give the floor to Zakir now. Zakir will say a few words about the film and then we will watch the film. After the film, questions and discussions will continue at our conference.

### **Zakir Murad:**

- With your permission, I would like to say that before getting involved in TV journalism, I was a newspaper journalist and continue to be one today. I have also carried out historical research, especially about the role of Ganja in the formation of Azerbaijan's national identity in the early 20th century. Very good speeches have been made here, and the speakers have touched on various subjects, but not all, of course. Specifically, as I said before, it is the result of the formation of national identity in Azerbaijan that the first democratic state was established in the East. It is a very interesting process. I think that by studying this process in depth and on a large scale, people will understand their path and will feel like a cultured nation. First of all, it is necessary to make the public aware of this.

As I said before, Ganja was a centre where Azerbaijan's national identity took shape. What stages did this process of evolution go through? In 1905, in order to protect the people



from ethnic conflicts, the nation's intelligentsia came together and set up the Difai organization. The Difai organization not only protected the nation from attacks, but also carried out educational work. In other words, if the first practical political organization began with the Difai party, its main coordinating centre was the city of Ganja. Why Ganja? Baku was a vital centre of our evolution. There was a broad stratum of intellectuals in Baku, there were newspapers there, but if you look at the city, it was multi-national and of course, in that proletarian city, the ideas of the elite did not have a leg to stand on.

But in Ganja, the situation was completely different. Ganja was a model of Azerbaijan's national spirit. The ground here was fertile to implement and pursue a progressive national idea. For this reason, Ahmad Agaoglu brought his idea of Difai from Baku and implemented it in Ganja. Indeed, in a short period of time, Difai not only responded to the Armenians and showed its power, but also used force at times, which was quite logical because there was a need to use every means at our disposal to defend the nation. At the same time, they were engaged in extensive educational activities.

When WWI started, the leaders of the nation understood once again that it was time to arm ourselves. The Ganja National Committee and the National Committees in Baku took steps to defend the nation and organize it politically and militarily. The activities of the Ganja National Committee were famous. The Ganja National Committee even had one Turkish officer - Colonel Husametdin Tugac. The Ganja National Committee is already the second part of this evolution.

The third stage began after the February Revolution in 1917, which we call a bourgeois-democratic revolution. After the



Romanov dynasty was overthrown as a result of this revolution, Difa members who set up the national committee decided that a better national organization was needed. Unfortunately, our history textbooks, encyclopedias and the curriculums of our institutions of higher education say only a couple of sentences about the Adami-Markaziyyat party, which was set up by Nasib bay in Ganja. It was based on European values and reflected all progressive ideals. The little information that is available is about its merger with the Musavat Party. This approach is not correct.

When we look at the programme of the Adami-Markaziyyat party, we should first of all understand that this idea belongs to society. This is not federalism related to the establishment of the state, but rather a non-centralist force that is related to this society. There are centralist regimes and there are non-centralist regimes. The values that we wanted to bring from Europe are precisely nurtured in a non-centralist regime.

These ideas were proposed in the early 20th century. This is the reason why our state really was the first democratic state in the East. Mammad Amin Rasulzada said when he addressed parliament: "We shall create a state that will be even more democratic than Georgia, which is known as a beacon of democracy in the Caucasus." In his speech, he said: "Azerbaijanis have as much as energy as lies underneath (meaning oil) and soon, we shall demonstrate a model of progressive culture to the world."

Can we understand these words? Do we follow them in our individual or public activities? Mammad Amin Rasulzada said: "We created a banner out of nothing." Indeed, the establishment of the republic was a very interesting event. The phrase "Russia broke up and, like other states, we gained our independence" is a very primitive approach. The difficulty in creating our state was



that first of all it was necessary to create the idea of Azerbaijan in a political sense. For this reason, Mammad Amin Rasulzada said: "The honour of formulating Azerbaijan in terms of a political requirement belongs to Nasib bay." It is interesting that when the Adami-Markaziyyat party merged with Musavat, it was the programme of Adami-Markaziyyat that was adopted. We have tried to reflect this evolution in our film, albeit briefly.

I would like to point out that my articles have been published in various newspapers since 2000. To be honest, I think that the publication of an article in a newspaper does not undermine its scientific basis. A newspaper is a great source of information that is read by the masses. Why shouldn't I inform the masses about this? Why should I keep it for some dissertation? Most importantly of all, I am trying to say that like in scientific conferences and books, my articles have been published under the names of other people sentence for sentence. But I don't want to talk about that today, and I would like you to focus on some facts as we watch our film. That's to say, of course this is an historical explanation of sorts, and I want you to feel that this history affected the fate of those who created it - people like Yusifbayli, Sari Alakbar and Shikhzamanli. In this film, I tried to reflect Azerbaijan's establishment as an independent republic. Although there are some technical shortcomings in the film, I think that we have achieved our goals. In the film, we tried to reflect the path that led to the republic we managed to establish with slogans like "Long Live Democratic Azerbaijan!" and "Long Live the Adami-Markaziyyat Party!"



## Part 2

### **Mehriban Vazir:**

- With your permission, I would like to be the moderator of the second part of the conference. I deeply respect your different views and each one of you has valid points to make. But there is a truth accepted throughout the whole world: there is official history and there is an oral history. Oral history is a wonderful genre. I would say that this film was an example of oral history. Life flies by. But as long as you are living monuments, say and write what you know because all this is very important. Only this will remain. For example, for me one of the greatest personalities of the 19th century was Govhar Agha. She was a great benefactor and educator. This woman was probably one of the very few to build a hospital in this country. But I have never seen a single article about her. That's to say, the culture and traditions of oral history have not developed in our country. I have met interesting people here. For example, there are children of members of the 21 Azar movement. They probably have interesting memories and information. For this reason, write down anything you know about our historical figures. You can capture it even on a cell phone camera. Technology is well-developed now.

The subject of the second part of this conference is "Modern Azerbaijan and Europe: Prospects for Azerbaijan's Integration into Europe". In fact, this subject has already been discussed. I would like to give the floor to a very important person - the human rights activist, Arzu Abdullayeva, who has dedicated her life to public work and to the democratization and independence of our country since 1988.



### **Arzu Abdullayeva:**

- In fact, I had prepared a report on a different subject. Today's conference calls to mind a commemorative meeting. I bow my head before the struggle for the future of Azerbaijan waged by our genius public figures, both those mentioned here and those not. Of course, what we have done is truly insignificant compared to what they did.

Many of you have probably heard my name and know of me. I would like to digress and talk a little bit about my biography. My great-grandfather was one of those fighters, and since part of that fight was related to Ganja, I would like to highlight it with a great sense of pride. First of all, I would like to point out that there is the following concept in the history of the ADR - "the 24 May Ganja uprising". Recently, one journalist wrote an article and said: "Why an uprising? Who was the uprising against? Both of them were part of the republic, they did not rise up against the republic. This was a resistance movement." But the history of the republic did not end here. Most of the activists headed for Ganja and tried to organize resistance here together with the public. The resistance lasted for a long time. My great-grandfather also contributed to this resistance and I would like to talk about him as well. He was my mother's grandfather and lived in Buzovna. In 1937, he was branded a kulak and arrested. In 1918, he set up a resistance detachment in Baku villages in order to prevent the massacre of Azerbaijanis.

My great-grandfather was a very wealthy person. In Buzovna, he built barracks for Turkish soldiers on the sea front. In the Soviet period, a pioneer camp was set up there. That building is still there, but now refugees live there. My great-grandfather joined the famous Turkish commander Nuru Pasha and bravely



defended Azerbaijani lands. He traveled together with Nuru Pasha until Agstafa was liberated. Although he was a tough person by nature, he prevented the massacre and torture of the Armenian population. His real name was Haji Isgandar Nabiyeu. But in Soviet times, he was forced to change his surname because he was on the wanted list. After changing his surname, he was known as Haji Isgandar Abuzarov. But someone denounced him and he was arrested as a kulak. He was tortured to death during interrogation at the NKVD. They did not even return his body to his family. Books have already been written about him. But there is one interesting point in his story. Nine or ten years ago, we received a letter praising him from Turkey, and this letter said that Mustafa Kemal Ataturk had awarded Haji Isgandar with a gold belt. That belt is now kept at the Topkapi Museum. I apologize for this digression, but today's memories forced me to recall this great person and share this with you.

Now let's move onto another subject. Azerbaijan is a quite unique country, because Azerbaijan has a multi-faceted history and traditions. In the Middle Ages, it was part of the Middle-Eastern system. Since it formed part of Russia and the Soviet Union for 200 years, it has been regarded as part of Europe since it joined the OSCE after the breakup of the Soviet Union. Since 2001, Azerbaijan has been a member of the Council of Europe. Finally, the Eastern Partnership Policy has now been launched as a continuation of the European Neighbourhood Policy. Within the framework of this Neighbourhood Policy, Azerbaijan and the European Union have signed an action plan and are implementing it. Some of our speakers here represent the Azerbaijani National Committee for European Integration. On their behalf, I would like to tell you that we have been mon-



itoring the action plan since it was signed. This monitoring covers 10 priority spheres. These priority spheres are human rights, elections, the Karabakh conflict, regional cooperation, the economy, the environment, the fight against corruption and so on. The section on human rights says that Azerbaijan must honour its obligations before the OSCE, the European Council and the UN. You know that I represent the Helsinki Citizens' Assembly. Many organizations reprimand us repeatedly for adopting a very rigorous approach to existing problems. Perhaps, this happens because rights campaigners always set themselves ideal goals and want to achieve them. This is the case in every country. This is a prerequisite for the development of a country and society. The decree guaranteeing human rights and freedoms are a criterion for measuring democracy.

Of course, if a fight is being waged in the name of justice, then the positive work being carried out in a country should be assessed and violations of the law and human rights should not be ignored.

It could take a long time for me to talk about the human rights situation in Azerbaijan. We all know the shortcomings there and what the situation is like. At the same time, within the framework of processes of European integration, it is possible to resolve many of our difficult problems. Prospects exist for guaranteeing human rights and for resolving the Karabakh conflict.

### **Togrul Juvarli:**

- I would like to talk about the economy, which is my area of expertise. Although there was no talk of an open economy or an open society when the state independence of Azerbaijan was proclaimed in May 1918, the republic kept abreast of all this. It



is known that there were numerous political problems at the time. But the leaders of the first republic understood full well that it was impossible to ignore the economy. No matter how attractive political slogans are, there is always an economic reality behind them. In that period, our national leaders tried to create opportunities for small and medium-sized businesses. Capitalist relations were already emerging in Azerbaijan and it was necessary to take into account the interests of this emerging middle class. On the other hand, the best way of setting the economy in motion was to boost the activity of small and medium-sized businesses. Unfortunately, it was impossible to carry out drastic reforms due to the lack of time.

For example, the government tried hard to carry out reforms in the agrarian sphere. Various models of agrarian reform were examined. But they did not work because the leaders themselves were representatives of various strata and failed to reach a common conclusion despite the importance of the land problem.

What is more, the most important and sensitive problem facing the government at the time was a strong working class. Factories had to be put into operation first because the Bolsheviks were doing their best to win over the working class. It was impossible to benefit from the oil factor. Relations with Russia were disrupted at the time, and there was no-one else who wanted to buy our oil. Then the British came here and the borders were closed. The idea of granting oil concessions to Western companies failed as well.

But in any case, there were strong tendencies towards laying the foundations of economic legislation in the new government. Also, let's not forget that despite all these difficulties and failures, it was in the republican period that the country's first uni-



versity was opened. The leaders of that period understood full well that an illiterate society has no future.

Do you know why I am mentioning all this? The first republic existed in a very unfavourable situation. Despite that, the founders of our national state did everything possible to change the situation for the better. Today, on the contrary, the general situation, especially in the economy, is very favourable and our country has quite a good chance of flourishing.

We often talk of ideals, but we are not thinking of being the real successors to the idealistic self-sacrifice of the leaders at that time. Let's admit that there is really no open society in Azerbaijan today. We probably have some elements of this, but in general, it is probably too early to talk about the existence of such a society in Azerbaijan.

The crisis which has engulfed the world today showed that there was a direct link between the existence of an open society and the prosperity of a country. There is a philosopher called Popper who is admired by George Soros, the founder of the Soros Foundation. His ideas and thoughts had a great influence on George Soros in the past. It is this philosopher who first developed and founded the idea of an open society. In the pre-crisis period, when the world economy was developing, George Soros said that "Islamic countries also need an open society". They asked him: "Why? Islamic countries have their own laws and rules." He answered: "It is not that we want to change their traditions. In an open society, the likelihood of erroneous steps, including in the economic sphere, falls because in an open society, every mistake is a subject of open discussion and the right path for development can be found sooner or later." On the other hand, individual independent public organizations emerge



in an open society, and the state has to take all this into account. This significantly reduces the likelihood of mistakes. Incidentally, I should also say that Islamic forces had their own representatives both in parliament and in the government of the Azerbaijan Democratic Republic. But they all saw eye-to-eye on one issue - Azerbaijan should be a secular state.

The situation in the Azerbaijani economy is quite deplorable today. As you know, oil prices are falling rapidly. We pin all our hopes on oil. If there was an open society in Azerbaijan, would it be easier to find a way out of this situation? Of course, yes. A heavy burden might break your back. The state should devolve at least some of its functions to society.

Let me cite one example for you. The first state investment company has already been set up in Azerbaijan. Over the last two years, the state has allocated millions to this company. In turn, it has to join different projects and bring in additional investments in order to set the economy in motion. The goal is clear. For example, if the state allocates 70 million manats to one sector, that company should bring in investments of 700 million. Maybe it is necessary to intensify the work of that company in the current situation. The projects of that company should focus not only on major capital, but also on small and medium-sized businesses.

Second, the construction sector is in decline everywhere in our country. In the past, this sector yielded a profit of almost 100 per cent and initially there was a huge influx of investments here. However, the situation is different now. The government tried to make this sector work: the rules of business registration were simplified, a mortgage programme was restored and so on.



On the other hand, it is very interesting that municipalities are not engaged in housing construction in Azerbaijan. In such a situation, the state can announce that it will allocate 600 million to municipalities and start building houses. As a result, respect for municipalities and people's confidence in these bodies will increase. At the same time, needy families will get a chance to obtain free or cheap housing. Personally, I ask myself why the government is not doing this? Here is the answer: "We do not have an open society and open organizations and useful ideas and approaches are accepted with great difficulty."

Many ideas have been expressed here, and I don't want to repeat them. I can only say that we reprimand and criticize or praise ourselves too much. The phrase "there is no nation better than us in the world" makes me laugh. Why? Maybe behind those naive phrases, we are trying to hide our weakness.

Finally, I would like to say that the law seems to lag behind everything. The efficiency of laws is the salvation of our economy. I would like to share my memories with you. While in Strasbourg, I wanted to go to Paris. On my way back, the only tickets left were on the night train. It transpired that at weekends, this night train was taken over by young people. I panicked when I got on the train; there was not only no vacant seat, but even standing-room was non-existent. Everyone was smoking and some people lay down. We traveled for one hour and a half like this. Later, two people who looked like railway inspectors got on the train and in one minute, all the smokers put out their cigarettes and everyone sat properly. I thought to myself - what sort of miracle is this? It turns out that as soon the law disappears, all atrocities start again. The law came and order came along. If there is no law, it is difficult to talk of other problems.



In one small observation, I saw that it was important to ensure the supremacy of the law. Let's admit that it would be an exaggeration to talk about the supremacy of law in Azerbaijan. This is what we have to achieve. That's all I have to say.

**Mehriban Vazir:**

- Thank you, Togrul. It is true that as a nation, democracy and the supremacy of law are a prerequisite for us. If there are no such prerequisites, we will be underdeveloped, as we have been underdeveloped to date, that's to say under Russian occupation and in the period where the consequences of this occupation still continue, and we regret this.

But I have to highlight one issue. Look at the programme in front of you. We should be working within the framework of this programme. But we have very harsh critics here and they don't care. This criticism is just too harsh. Let's move onto discussion now.

**Participant:**

- I am Javid Muradov, a holder of a master's degree from the faculty of history of Ganja State University. First of all, I would like to say that every person sitting here will say that young people are our future. But I keep asking you to give me the floor, and everyone feigns ignorance. Anyway, I would like to thank you Leyla and Mehriban, for coming here. But most of all, I would like to thank Zakir for his work. Everyone can talk about history. The archives are full of information. But it is really praiseworthy to see even a little bit of the work that no-one can see. Our history books give the following names to the ADR: the Azerbaijan Democratic Republic and the Azerbaijan Democratic Republic. I would like to ask historians to reach accord on this issue.

Then, I have a critical remark to make about our guests and Hasan bay. In the film, we saw the Agriculture Institute, which used to be the headquarters of the national government. It would have been better to hold this conference in that building, not here. Currently, that building is in an excellent condition.

You said that we should take a copy of the video. As a citizen, I demand that you translate this video into other languages and distribute it among foreign embassies. I also propose that we stand up and sing the national anthem of the republic, which existed for 23 months, and of present-day Azerbaijan.

**Mehriban Vazir:**

- Youth is youth, we have to stand up. Thank you.

**Kamran Ismayilov:**

- The "Declaration of Independence" which was adopted when the ADR was proclaimed said the Azerbaijan Democratic Republic. The word "people" is not used in any other historical or official document. I am in favour of giving the name Azerbaijan Republic to this state. When certain decisions were adopted in 1990, those decisions mentioned the ADR. This is simply the situation now. Let everyone take responsibility. I would like to say again that this is a very controversial issue and it is impossible to reach a definite decision. This is not the job of historians. The state should adopt a decision.

**Mehriban Vazir:**

- This meeting might not be exactly the right place to discuss such an issue. I would like to say once again - write down your ideas.

**Participant:**

- Thank you. I am Irshad Abbasov. I am director of the economic research, sustainable development and ecological monitoring department at the regional scientific centre of the Azerbaijani National Academy of Sciences and head of a public association. First of all, I would like to thank Zakir. At last we are moving towards real action rather than "tea-house politics", "tea-house nationalism" or "tea-house democracy". This is a very important issue. I think the study of the history of a state, society and nation should serve one goal. That's to say, it should serve to develop the state of our current society. By studying our history, we can see that our current society, our civil society, is in a poor condition. For this reason, we should adopt concepts in this sphere.

For example, let's say that Zakir took the first step. Secondly, I want to thank Mehriban. When the Azerbaijani national committee for European integration was set up in 2006, Sabit bay told us that he and Aslan had even sent a letter there. I mean that Azerbaijan is not just Baku.

Indeed, Ganja has always been at the forefront throughout the history of Azerbaijan. I can say without exaggeration that Ganja is a place and city that has played a special role not only in the development of the East, but of civilization as a whole. Why am I saying this? I am an ecologist myself, I am not an historian. Zakir himself is a chemist, but he has turned to history.

I would like to return to the issue of integration into Europe. I think that Europe has successfully and skillfully developed what it appropriated from the East. If we, Easterners, are turning towards them, there is nothing wrong with this. It is always necessary to learn. But I would refer to it as integration into



development and civilization. This sounds better, because as an ecologist, I should say that indeed there are no local ecological problems. Indeed, as we integrate into mankind, the work you are doing is laudable and I regard today's conference as a really important step in developing civil society in Azerbaijan and our national values.

Believe me, it is very important for every person who cares about his nation to hear the opinion of scholars and experts and look into this issue together with young people.

### **Participant:**

- We can celebrate the 90th anniversary of the Azerbaijan Democratic Republic all year. In May 2008, we held a big conference in connection with the 90th anniversary of the People's Republic. The findings of this conference were published and they are available to you now. We did not know then that we would be holding a joint conference with the Azerbaijani National Committee for European Integration. However, we also touched upon issues of European integration there. The first pages of the book provide a list of 100 people who were sent from Azerbaijan to European universities for education by decision of the People's Republic on 1 September 1919 and look at their fate.

Mehriban said right at the start that there are no organizations or people dealing with issues of European integration in Ganja. I would not say that there are none, but they are very few in number. It is necessary to boost these organizations. A representative of the Ganja Euro-Atlantic Centre is sitting next to me. Yesterday we held an interesting meeting with them.

One of the most important issues of European integration is the development of science and education. If we are not able to



train personnel according to European educational standards, our culture will not even approach theirs. Specific people are needed. People who graduated from European universities and returned to Azerbaijan at the time of the People's Republic tried to form this culture and started bringing state-building here. It is necessary to send those people again, whether it is a bachelor, holder of a master's degree or holder of a doctor's degree. After people who obtain such an education return, they will help to form a new environment in Azerbaijan.

You yourselves know very well that there are too many problems in issues of administration. The democratic environment at universities is also very weak. Democracy should be developed. Who should be doing this? The new young generation, of course. Our duty is to create conditions for them to receive an education. We are implementing a project at Ganja State University. It is a three-year project being implemented with financial support from the European Union within the framework of the Tempus Programme. A student who studied there is here today. I did not know he would come here today. He was educated at the Aristotle University of Thessaloniki in Greece and has now returned home.

One of the most important issues is that it is necessary to learn foreign languages - French, German, English, etc. Development is not possible without knowing a foreign language. If there is no mutual cooperation and people don't know each other, such things are impossible. Education policy is one of the biggest programmes of the European Union. It is being implemented within the framework of the Bologna system. The Azerbaijani state has accepted this. I would very much like our young people educated in European universities to use their knowledge at home.

Unfortunately, our share in the development of science is very small. I do not want to criticize Azerbaijan in saying this. When the European Union analyzed this issue in 2000, it emerged that the USA occupies first place in terms of its share and productivity in science. Countries of the Far East - Japan - occupy second place. All the countries of the European Union need many years to catch up with Japanese science.

The issue here is what contribution you will make to society. Yes, the European Union has a great interest in increasing its human and intellectual potential through geographic expansion. It is necessary to work hard to increase this potential. Where is this power? It is necessary to secure big grants. For example, almost no university in Azerbaijan receives grants under the Tempus Programme. These grants could give an impetus to the development of exact sciences.

In Soviet times, we were unaware of the natural philosophy that was taught in European universities. But natural philosophy was studied seriously at all universities - the philosophy of Newton, Leibniz, Kochin and Gauss. Without knowing this philosophy, without knowing natural philosophy, there can be no talk of attempting to carry out any scientific-research work. You cannot develop science by telling children to study well and read books. We use our power for practical work, and I think that we can achieve something if we work in this direction. Thank you.

**Participant:**

- I would like to draw your attention to American history first of all. The first president of the United States, George Washington, said after his election for a second term in office that he did not want to be elected any more because he thought that if one person

remained in one position for a long time, he would lose his objectivity. On the other hand, I want to remind you of the war between Britain and America. So, America woke up when it realized that all its wealth was going to Britain. They raised the issue of keeping all taxes in America. After they announced this, war broke out.

Having said this, I want to thank Zakir, but I have one remark to make. My remark is that when we gathered here, our main subject was the Azerbaijan Democratic Republic. That documentary should have been handed over to every participant so that they could gather together their friends and family and watch it. I understand that this is a wonderful film, and there was a small dispute here. In general, the film is good and laudable. I should briefly say that it is first of all necessary to develop our consciousness in order to join the European countries. Thank you.

**Participant:**

- I would like to thank Zakir for making this film. I would urge the young to collect facts regarding the history of the national movement in Azerbaijan since 1988 and keep them in their archive. God willing, when necessary, a documentary will be made on the basis of those documents about those who gave up their lives for the independence of Azerbaijan.

**Participant:**

- I would like to thank you for holding this conference. I would like to express my opinion as well. We discussed different periods of the republican era. A mass massacre of Azerbaijanis was under way in Armenia at the time. I think that at a time when not a single Azerbaijani was represented in the Armenian parliament, the large representation of Armenians in the



Azerbaijani parliament weakened the republic. The other problem was that, for example, the republic's first capital after 28 May was Ganja, and then it moved to Baku after Baku was liberated on 15 September. After Baku was liberated, Azerbaijan missed an historical opportunity to expel the Armenians and the forces that opposed our independence.

My second thought is about this European Neighbourhood Policy. Europe is currently dominated by double standards. They have one view of Muslims and a different view of Christians. For example, let's take the issue of Cyprus. After being subjected to genocide by the Greeks, the Turkish Cypriots proclaimed their independence in 1974. Europe has still not recognized them, but Azerbaijan is under tremendous pressure in connection with Nagorny-Karabakh.

If Azerbaijan had occupied any part of Armenia, it would have come under an economic blockade and strong pressure. If Europe really wants to pursue a friendly policy of neighbourhood, it should take all this into account.

**Mehriban Vazir:**

- Thank you.

**Participant:**

- I would like to express my thanks to the organizers of this conference. Ramiz and I represent the Academy of Agriculture here. In the 45 years since we were students, there have been very few cases when I did not visit the Independence Hall. My office is next door. Ten years ago, we erected a monument to Azerbaijan's independence thanks to the efforts of all the staff of the Academy of Agriculture. One of the administrative buildings of our Academy of Agriculture is the building that housed the Council

of Ministers. A symbolic office of Fatali Khan Khoyski has been set up there. Some pictures and memorabilia about the history of Azerbaijan's independence have been collected there. The young man said that he proposed holding the next conference there. I can do that. I promise that I will sing the national anthem there.

**Mehriban Vazir:**

- Thank you. I thank Ganja above all. I bow my head in acknowledgment of its services to its homeland and nation and to the Ganja population. We would like to thank you for creating such a warm and sincere atmosphere. I also thank Leyla, because she is the author and organizer of this idea. I would like to thank the author of the film. I thank Azad Khan who criticized the film. There should be protest and resistance, and ideas should be expressed. These protests should be taken as natural. We should draw the right conclusions from this in our future work. I would like to thank the local organization and Hasan bay again. I would like to thank the intellectuals of beautiful Ganja and the representative of the Khasmammadovs - we have just come from their house - Togrul Javarli and the Javarli family. I have seen extraordinary people here. But in this connection, there is one more thing. There is a wise saying: I will not call you a khan because khans come and go, I will not call you a sultan because sultans come and go, but a bay is always a bay. All this is a delicate product of Azerbaijan's public-spiritual consciousness.

**Participant:**

- Azerbaijan has a culture of oration. They never say: Ladies and Gentlemen - happy wedding. They always congratulate the bay and his bride on their wedding. There is only one party that says "comrade", but I cannot accept that.

**Mehriban Vazir:**

- Thank you. I would like to give the floor to Leyla for a final speech.

**Leyla Aliyeva:**

- Thank you for participating in our conference so openly, sincerely and actively. I am very pleased to be in Ganja. I was in Ganja once before - 10 years ago. Even though I could not see most of Ganja, we sat at one table with representatives of Ganja. In Tbilisi, there is a small poetic place in the botanical garden - there are graves of ADR government members and intellectuals in the shadow of trees there - seemed like all what was left from the proud people striving for freedom. When I was in Tbilisi, this small corner bearing the tragic history made such a big impression on me, that I am sorry, I cannot even speak about it now...

**Mehriban Vazir:**

- Here is love. This is love for our homeland.

**Leyla Aliyeva:**

- I would like to repeat what Ramiz said. Indeed, he expressed a wonderful idea - Turks, Azerbaijanis, are inclined towards progress. It seems to me that this is the reason why our ancestors have left such a bright historical legacy. They laid the foundations of our identity. They were open to reform. Togrul rightly said: Can we regard ourselves as their successors or not? I think our conference gave a kind of answer to this question. I hope that we will prove this in the future. Thank you.

**Participants:**

- Thank you.

## **OIL RESERVES AND MARKET REFORMS IN AZERBAIJAN: A HISTORICAL PERSPECTIVE**

The Salyan conference  
17 January 2009

### **Leyla Aliyeva:**

- First of all, I would like to welcome you all. This is our third conference and its subject is "Oil Reserves and Market Reforms". These conferences are dedicated to the 90th anniversary of the Azerbaijan Democratic Republic (ADR). Azerbaijan has a rich history, and although the existence of the ADR was short - 1918-1920 - but we are really proud of this period. During that period, the foundations of a democratic parliamentary republic - the Azerbaijan modern nation state - were formed.

### **Aydin Balayev:**

- The ADR period should be a real source of pride to us. Just imagine, when the independence of Azerbaijan was proclaimed in May 1918, there were only seven independent states in the Islamic world - the Ottoman Empire which was going through its final days, Iran, Afghanistan, the Bukhara Emirate and three small Arab sheikh states situated in a geographically inaccessible part of the Arabian Peninsula. At this time, the leaders of Azerbaijan based themselves upon European values and declared that we have decided to live independently. We will run our country without shahs, sultans or khans on the basis of democratic principles. Such a step by the leaders of Azerbaijan in the Islamic world as it was then, dominated by authoritarian regimes, was a truly extraordinary event.

I want to touch upon one more issue. Usually, we say repeatedly that Azerbaijanis are very appreciative people. But unfortunately, our people's current attitude to their real national leaders, including the people who established the ADR, does not allow us to demonstrate this unambiguously. It is enough to say that none of the graves of the people who established the ADR are located



on Azerbaijani territory. Rasulzada's grave is in Turkey, Topchubashov's grave is in Paris and the graves of Hasan bay Agayev and Fatali khan Khoyski are in Tbilisi. It is not known where many ADR leaders, who fell victim to Bolshevik repression, are buried. All historians in Europe and throughout the world confirm that the founders of modern Turkism are not Turks at all. The establishment of this ideology is related to Ismayil bay Gaspinski, Ali bay Huseynzada and Ahmad bay Agayev.

History has seen many states that called themselves democratic. The outstanding feature of the ADR is that the people who established it did not merely pay lip service to democracy. They put it into practice. For this reason, functional and not merely declaratory democracy was established in the ADR for the first time in the history of the Islamic world. In this regard, I would like to cite one example: the Bolsheviks actively prepared for the April 1920 coup and the national government was certainly aware of these preparations. One of the most active participants in the Bolshevik coup was a Bolshevik named Jabiyev. When the police tried to arrest him, he hid in A. Qarayev's house. The police could not enter Qarayev's house for 24 hours because Qarayev was a member of parliament, and special permission from the parliament was required to check or search his house.

Only 24 hours later was it possible to obtain that permission. By that time, Jabiyev had managed to leave the house through the back entrance. This fact in itself is a graphic example of the level of democracy in the Azerbaijan Democratic Republic.

Most of the democratic reforms carried out in Azerbaijan in 1918-1920 were implemented in the East for the first time. From this point of view, the founders of the ADR outstripped even



Ataturk in carrying out democratic reforms. Ataturk started to carry out these reforms only at the end of the 1920's.

We should also take into account that it was not so easy to carry out reforms. For example, Azerbaijani consciousness regarding nationality and statehood is still not all that it should be. Now imagine the level at which the population's consciousness was 100 years ago. This entailed great risks. At that time, the founders of the ADR did not come to power to acquire something for themselves or their relatives. They came to power to ensure the people's development and progress. They did their best to achieve this. That is all.

**Leyla Aliyeva:**

- Thank you. That was a wonderful speech. At the time, when most of the population was rather uneducated and deeply religious, we managed to establish a liberal system with parliamentary rule. This very fact shows the ability and strength of the Azerbaijani nation and should make us believe that we are also able to carry out those reforms today. We could even be among the most progressive Western states.

My subject is the reforms and oil revenues at the end of the 19th and beginning of the 20th century. A number of changes happened in Azerbaijan under Russia's influence in the 19th century.

I would like to dwell on three main reforms carried out by the Russian Empire in Azerbaijan. The first one was that villagers were given six dessiatinas of land as a result of agrarian reforms. The inviolability of their property rights to that plot of land was totally guaranteed.

The second one was that the court reforms carried out by Tsar Alexander II led to the creation of an independent court

system in Russia. Manaf Suleymanov's book cites the following example regarding the independence of the court system. It says that a resident of the village of Balakhani, Haji Yusif, won a case against the governor of the Caucasus, Mikhail Vorontsov, over his garden. During those court hearings, Haji Yusif's rights were defended by a famous lawyer of that time, Qara bay. Qara bay was a very well-known lawyer and defended the rights of rank-and-file citizens.

The third reform that the Russian Empire carried out in Azerbaijan was in the oil industry. The development of the oil industry in the 19th century was due to increasing demand for this fuel on local and international markets. American oil was placed on the Russian market and Russia felt that its positions had weakened on the international market. On the other hand, the development of various industries within Russia was one of the factors that gave impetus to the progress of the oil industry. For this reason, Russia decided to "privatize" the oil industry. Oil-rich territories over the whole of the Absheron peninsula were divided up into different parts and were put up for auction at a very low price.

These three reforms played an important role in Azerbaijan's social, political and economic life, because they all led to the rapid formation of a national bourgeoisie in Azerbaijan. The national bourgeoisie was a truly independent economic class.. First of all, they were independent from the political authorities. They did not do any work because they occupied a government post, that's to say because of their official status or authority. You know very well that Azerbaijan's national bourgeoisie had many prominent representatives, such as Tagiyev, Nagiyev, Asadullayev and so on.



Until recently, I did not know that my grandfather from Keshla was linked to the history of oil. He was also engaged in charity work and sent students for education abroad. My grandfather was not a well-known oil magnate like Tagiyev.

Unfortunately, a lot has changed over the last 100 years, and not for the better. As a result of systemic persecution of elite from the Soviet regime, the high culture of that period disappeared and the psychology of social solidarity was destroyed. We still do not have independent economic groups and most importantly, a national bourgeoisie which is not dependent on the political authorities. In our country, the economy is related solely to politics and the state. For this reason, there is such a sharp difference between the present day and the 19th and early 20th centuries in our country. Now I would like to start discussion on this subject. If you have something to say, please go ahead.

**Participant:**

- I would like to ask a question. As I understand, you are in favour of privatizing the oil industry. Is that right?

**Leyla Aliyeva:**

- Yes, under certain conditions because it was the privatization carried out in the 19th century that opened up the potential for entrepreneurship in Azerbaijan. It is true that sometimes they say that an uneducated person should not be put in charge because things could end badly. Sometimes they say that an uneducated and unprepared villager should not be given a large amount of oil because if it is given to him, he will start fighting others, like in Nigeria. During my latest trip abroad, I tried to prove that 100 years ago ordinary villagers in Azerbaijan

became millionaires and did many good things for the country. They tried to develop our nation, created theatres, secular schools for girls and helped students to obtain an education abroad. It is true that the environment in that period was different as well. And this environment was formed by our intellectuals and elite, because we had intellectuals like Mirza Fatali Akhundov, Mirza Alakbar Sabir and Jalil Mammadquluzada.

Since the environment they formed was created within a nationalist movement, everyone was trying to ensure that Azerbaijan became one of the most developed countries in Europe. I cannot imagine a single representative of the ADR going abroad and saying that our people were not yet ready for democracy and needed few centuries to form a political culture. This was impossible. On the contrary, they said that our people are capable of integrating into Europe and of democratizing because they were the real leaders of the people.

There are many oil-rich countries in the world. But democracy has developed in only two of them - America and Norway, because when these countries started to produce oil, democratic and state institutions had already taken shape there. In other words, they first formed a strong and democratic state and then started to produce oil. The countries that started to produce oil before forming democratic institutions did not end so well. For example, Nigeria, Kuwait, Saudi Arabia and so on. There is neither democracy nor a fair distribution of resources in these countries.

### **Emil Mammadov:**

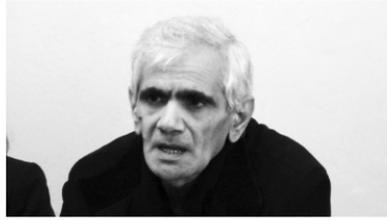
- Salyan District was formed in August 1930. Its territory is 1,800 square kilometres and the population 120,622 people. Some 34.2 per cent of the district population lives in towns and



64.8 per cent in villages. The one city and 49 villages in the district are run by 20 territorial representations and 45 municipalities. Salyan is part of the Aran economic zone. Agriculture and to some extent industry form the basis of its economy. International and national transport routes pass through the territory of Salyan District. The Salyan Oil operating company is implementing a project of international importance to extract oil from the Kursangi and Qarabaqli deposits.

Some 50.6 per cent or 91,400 hectares of the district's territory is arable land, including 42.5 per cent or 38,900 hectares of sowing areas. As a result of agrarian reforms, 30,600 hectares of sowing areas were handed over to 73,812 people. One of the biggest problems of the population in Salyan is that the Kura River overflows and floods homes located along its banks. As a consequence, the Kura River has flooded about 4,000 homesteads in the last four years. Two thousand homes were flooded and more than 100 houses were destroyed or became unsafe. In villages, 2,700 hectares of crops were flooded and damage worth 1.5 million manats was caused to agriculture. Although those who suffered from the natural disaster were paid compensation, most of them failed to benefit from this aid.

Although some work has been carried out to implement a number of state programmes on the development of regions, there are serious problems in Salyan District. Like other regions of the country, the district is facing all the difficulties of the transition to new economic relations. One of the biggest problems is employment. The closure of former Soviet enterprises and difficulties linked to entrepreneurial activity, including farms, are the main factors that give rise to unemployment. The failure of farmers to obtain credits and the hike in fuel prices have caused



many villagers to sell their plots of land. The district population has no interest in developing cotton-growing, which used to be one of the main sources of income in the district. Low prices, the weak material-technical base and a shortage of labour in this sphere hamper the development of cotton-growing.

One of the main problems of the population in Salyan is drinking water. The only water source that people use in the district is the Kura River. General water consumption is 264.93 million cubic metres. Of this, 0.9 per cent is used for household needs and as drinking water and 99 per cent for irrigation. According to the Salyan Hygiene and Epidemiology Centre, the contamination of water in the Kura River is 10 times higher than the norm. Only one of the two water purifying installations built in the district centre partially meets standards. About 18,000 of the 35,000 people living in the district centre can use these installations. The remaining population uses the Kura River. The drinking water situation is even more intolerable in villages. Residents of the 35 villages located away from the Kura River take their water from ditches. According to a decree signed by the president last June, modular water purifying installations have been built in eight villages of Salyan. However, due to the indifference of local municipalities and communities, these installations are not being used. One of the most serious problems in the district is the spread of drug addiction. Fertile land and a climate favourable for the cultivation of narcotics, Salyan's location on international roads and the existing social problems have led to the spread of drug addiction.

One of the operating companies working in Azerbaijan's oil and gas extraction sector is Salyan Oil Ltd. The Salyan Oil operating company was set up on 15 October 1998. The production-



sharing agreement on the restoration, exploration and development of the block which includes the Kursangi and Qarabagli oil fields in the Azerbaijan Republic, which was signed between Azerbaijan and the company, was ratified by parliament on 16 April 1999. The company was registered by the Ministry of Justice on 25 October 1999. Previously it cooperated with SOCAR's partners - the US Frontera Resources and Delta Hess companies. In general, oil and gas has been extracted for more than 45 years here. The first exploitation well was drilled here in 1961. Until 1999, daily extraction totalled 400-5,000 tonnes, but 18 months after the arrival of America's Frontera Resources, extraction reached 900-950 tonnes.

In 2002, cooperation was established with China's National Oil Company. Several wells have been drilled in the area over the last six months, and during this period, 212,341 tonnes of oil have been extracted. The sphere of the activities of Salyan Oil Ltd includes the Kursangi, Qarabagli and Karimbayli oil fields of Salyan District. The partner companies and their stakes are as follows: SOCAR - 50 per cent, CNODC - 25 per cent and FAL-China - 25 per cent. Salyan Oil Ltd is working with companies like Ilkin-N, 21st Century and Sevinc-96. The contract has been signed for a period of 25 years. Currently, 300,000 tonnes of oil and 41 million cubic metres of gas are being extracted.

The monitoring group which was set up to organize public control over the work of Salyan Oil, which includes representatives of the local community, municipalities and NGOs, concluded that during the period of the company's work daily extraction increased from the 450 tonnes from the time of the Oil and Gas Extraction Department to 900-950 tonnes and a lot of work was carried out to build social facilities on this territory. In addition



to this, the oil project has had a negative impact on communities as well. This impact can be evaluated in two main ways: on the one hand, the social problems of company staff and on the other, considerable damage to local communities in the process of developing oil fields (drilling and extraction).

In order to develop oil reserves, it is necessary to carry out drilling work in order to extract them from the depths of the earth. The disposal of sludge and other residues becomes an important problem. As a rule, companies try not to spend extra money to clear such residues from an ecological point of view. As a consequence, those residues pollute and contaminate the surrounding area. This leads to environmental pollution.

Apart from that, the following main negative impacts of the Salyan Oil company have been recorded:

- Mass violations of property rights have occurred and, as a result, hundreds of people have received no compensation or unfair compensation;
- The soil of territories rented out for a long time was completely or partially destroyed. Currently, the productivity of these land plots is several times lower than that of surrounding areas, whereas the company and its contractors had undertaken commitments to protect the soil;
- Heavy vehicles travelling to fields deviated from their route and damaged crops on fertile soil;
- Tremors caused by heavy vehicles damage nearby houses;
- Vehicles engaged in the extraction industry damage local roads and installations. As for restoring them, they do not want to do this;
- In impact zones, travel restrictions are imposed on the population for no serious reason;



- There are cases of discrimination and violations of the labour rights of local personnel;
- The negative impact of the extraction industry on the dynamics of underground waters and biodiversity is not taken into consideration.

This ecological impact manifests itself at all stages of oil extraction. There is an impact on the air, water and soil. The degree of impact on the environment and the degree of the responsibility of oil extractors are determined by the efficiency of the authorities' oversight and specific conditions of the ecosystem. Damage is possible even in societies regulated by stringent laws.

Thus, the negative impact on the environment manifests itself at all stages of oil exploration - the drilling of oil wells, extraction, processing and transportation. This negative impact cannot be reduced simply by companies taking a responsible approach to their work and effective oversight.

Other impacts in the process of developing hydrocarbon reserves are related to the social environment. It is to be regretted that, as in most countries rich in hydrocarbon reserves, the opinion of people whose interests are directly affected by the development of these reserves is not taken into consideration, and they cannot take part in decision-making. On the contrary, repressive measures are sometimes taken against people whose rights are violated during operations.

Another problem is the unequal distribution of reserves. As a rule, foreign companies want to keep the main revenues. They make a distinction between local staff and employees from their own or other countries and violate the principle of equal pay for equal work to the detriment of local staff.

Those who live on territories where oil operations are being carried out and in the impact zone have the right to benefit from the development of natural reserves. However, in many cases, the local population not only is unable to benefit from these reserves, but also incurs losses from their development and they lose their property and health, whereas according to the International Covenant on Civil and Political Rights and Article 1 of the International Covenant on Economic, Social and Cultural Rights, which were signed by the Azerbaijan Republic, "all people may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and international law."

Although every nation has priority rights to benefit from its own natural reserves, in many countries these natural reserves become a headache for these nations.

Developed countries of the world are using effective methods to minimize the negative impact on the process of developing hydrocarbon reserves. These necessitates strict norms, their effective enforcement, unbiased and independent courts and active civil control.

One of the most effective means of forming civil control is to increase education and awareness.

Public or civil control is supervision of the activities of government agencies, municipal bodies and legal and physical persons by citizens and public associations. Public control is one of the functions of a civil society and a high expression of civil activity. If a society takes a strict position on an important issue, then the public can act as a single force.

The Salyan Oil operating company extracted 211,981 tonnes of oil and 27,848,000 cubic metres of gas in eight months of

2008. The daily demand of Salyan District, which is experiencing a big gas problem, is 120,000 cubic metres. These figures show that Salyan Oil is extracting 112,000 cubic metres of gas per day. Unfortunately, no-one is supplying it to the population of Salyan.

**Leyla Aliyeva:**

- Thank you, Emil. Now the floor is given to Azer Mehdiyev, the chairman of the Public Economic Initiative Assistance Union, to report on the subject of "Reforms in Azerbaijan in the post-Soviet period and the oil factor".

**Azer Mehdiyev:**

- Dear ladies and gentlemen! I would like to welcome you and first of all, I would like to say that it is an honour for me to meet you here in Salyan today.

A while ago, we saw interesting discussions and reports on the past of Azerbaijani oil here. I would like to continue this subject and share with you my ideas about the role of the oil factor in public-political developments in Azerbaijan in the post-Soviet period.

As is known, the Azerbaijan Republic, which regained its political independence at the end of 1991, faced a number of important tasks which were quite difficult to resolve and required serious determination: 1) systemic institutional reforms in the political system in order to establish an independent state 2) reconstruction of the economic structure according to the requirements of the economic development of an independent state and reforms to switch to market relations 3) to eliminate threats to the country's territorial integrity 4) to ensure effective integration of the country's economy into the world economy and so on.



Since the country had no system to run an independent state as it had been deprived of its experience of independent statehood for a long time and was at war given that part of its territory was occupied by Armenia with the support of Russia and due to the deepening of the economic crisis that happened after the collapse of the economy which had taken shape on the basis of the requirements of the Russian Empire (USSR), things became even more difficult. At the same time, the country's geographical position and its rich hydrocarbon reserves (oil and gas) turned Azerbaijan into an arena where the interests of the world's great powers clashed (on the one hand, the USA, Turkey and European states, and on the other, Russia and Iran).

In order to resolve the difficult tasks that were facing us, it was important to form a government that could guarantee the determination and organization of society in Azerbaijan in this sphere. In order to guarantee a solution to those tasks, the government was supposed to have the following: 1) a clear-cut plan for reform in the sphere of establishing a democratic state that could ensure the sustainable development of society 2) a single government team that could implement this reform 3) society's confidence and support for reform 4) international support and 5) resources to carry out this work...

Most of the people present here witnessed the public-political events that occurred in our country in the first years of independence, and probably, they remember that period very well. For this reason, I will not dwell on those events. I think it important to briefly say that the country's oil and gas reserves were the main point where the interests of domestic (the Azerbaijani authorities) and foreign centres (forces) of power which were capable of exerting a strong influence on public-political devel-



opments in Azerbaijan, converged. In that period, the oil factor played an important role in regime change in the country and in further strengthening of the government: the regime change of 1993 happened ahead of final preparations for the signing of great oil contracts, and a short while later - on 20 September 1994, the "Contract of the Century" was signed. In the following three or four years, the number of international oil and gas agreements signed by Azerbaijan exceeded 20.

By putting the country's oil and gas reserves into international circulation in a short period of time, the then Azerbaijani authorities could have been pursuing the following interests: to ensure the interests of the world's great powers and centres of power in Azerbaijan with the help of transnational oil companies; to restrict the chances of Russia and Iran to put pressure on the country by guaranteeing the energy interests of great powers; to secure international support in solving the Karabakh problem, as well as in ensuring stability in the country and especially in strengthening the government; to secure economic recovery by attracting foreign investments into the country; to get large revenues by increasing oil and gas export and so on.

Now I want to give you some information about issues related to oil and gas contracts. According to information from the State Oil Company of the Azerbaijan Republic (SOCAR), currently there are 57 oil-rich deposits in Azerbaijan, and 18 of them are located in the Azerbaijani sector of the Caspian Sea and the rest are located onshore. According to the company, there are 3-5 billion tonnes of oil and 5 trillion cubic metres of gas in the Azerbaijani sector of the Caspian basin. In order to exploit these large oil and gas reserves, Azerbaijan has signed 27 international contracts with oil companies from various coun-

tries of the world since 1994. As a result, foreign investments of 24.291 billion US dollars were made in the country's oil sector in 1995-2007. Though some of those contracts were terminated due to the unsuccessful results of exploration work (no commercial oil reserves were discovered in oil fields), in some of them oil and gas extraction has begun and revenues have started coming in, while exploration work at other fields is still ongoing. The Baku-Supsa and Baku-Tbilisi-Ceyhan pipelines to export oil and the Baku-Tbilisi-Erzurum pipelines to export gas were built and put into operation.

Since 1998, oil has been extracted at the Azari-Chirag-Gunashli (ACG) project, which is Azerbaijan's largest project in terms of the volume of investment and expected extraction, profit oil was extracted in 2007. In 2005, big oil money started coming into Azerbaijan. Due to the rapid growth in oil revenues, the real pace of growth in Azerbaijan's GDP outstripped that in other countries of the world in 2005-2007. Although in 2004-2008, the total volume of oil extraction in Azerbaijan trebled, SOCAR's volume of extraction remained stable (about 8-9 million tonnes).

As is known, the oil revenues coming into the country are accumulated in three sources - the State Oil Fund of the Azerbaijan Republic (SOFAR), the state budget and SOCAR. SOFAR was set up on the basis of presidential decree No 240 "On the establishment of the State Oil Fund of the Azerbaijan Republic", dated 29 December 1999. Revenues from oil and gas contracts (profit oil due to the state, bonuses, per-acre payments, transit fees, rent and so on) are accumulated mainly in the Oil Fund. Since the Fund was established, the total volume of its revenues in 2001-2008 has amounted to 20 billion US dol-



lars, and more than 72 per cent of this money (about 14.5 billion dollars) came into the Fund in 2008.

With Decree No 128 issued by the president of the Azerbaijan Republic on 27 September 2004, "A long-term strategy on the management of oil and gas revenues" was approved. This strategy reflects in general the main directions of the use of oil and gas revenues received by the country.

What do the oil contracts and oil revenues give to Azerbaijani society?

First of all, we should note with regret that the Azerbaijani government failed to make enough use of the oil contracts for resolving the Karabakh problem and ensuring the country's territorial integrity...

The dependence of the Azerbaijani economy on oil continues. The share of the oil sector in the country's GDP has exceeded 70 per cent, while the direct share of the oil sector in budget revenues has reached 75 per cent. The share of oil and gas and oil products in the country's export is more than 90 per cent. These are signs of the Dutch disease which is often mentioned in economic literature. Against this backdrop, the situation with the development of the non-oil sector in the country is not at all heartwarming. Though the state programme on the development of regions has been implemented in the country over the last few years, the foundations of sustainable development in this sphere have yet to be laid.

As the financial possibilities of the state are expanding, large amounts of money are being allocated to the social sphere and for the restoration of the social infrastructure. Although the money allocated to social spheres (education, health, culture and so on) from the state budget is increasing year on year, this money has

not yet brought about serious changes or development in these spheres. For example, although money allocated to the health sphere has increased by eight times over the last five years, the per capita amount of money allocated to the health sphere from the budget is still one of the lowest in comparison with other post-Soviet countries. We can say the same for the money allocated from the budget for every student. The average monthly salary of those who work in this sphere is still much lower than the minimum monthly consumer budget in the country.

One of the problems created by oil revenues is the price hike in the economy in recent years, that's to say inflation. If until 2003 it was possible to keep inflation in the country at 2-3 per cent, since 2004 the price hike has become serious and even reached 30 per cent in 2005. Inflation devalues the population's growing income and has a negative impact on their wellbeing.

Although great oil revenues are coming into Azerbaijan and the population's nominal revenues are increasing year on year, most of the revenues in the country are gradually being accumulated in the hands of a small group of people and social stratification is deepening rapidly. Currently, there is a difference of more than 100 times between the 20 per cent of the population who have the highest income in the country and the 20 per cent that have the lowest income. If we assess this on the basis of 10-per-cent groups, the situation will deteriorate even further. All this is directly linked to the high level of the black economy in the country and the corruption that has engulfed all spheres.

In order to form a strong non-oil sector, which is important for future sustainable development in the country, it is above all necessary to guarantee a free business environment in the country. There are currently serious problems in this sphere:

there are strong monopolies in spheres of economic activity; there are too many obstacles to access to the market; the courts depend on the political authorities; corruption, officials' arbitrariness and bureaucratic obstacles hamper the development of business. The persistently weak indicators of Azerbaijan and its unchangeable position in surveys on corruption, economic freedom, the business environment and other spheres in different countries carried out by various international organizations (the World Bank, Transparency International, the Heritage Foundation and others) are all proof of this.

One of the issues that cause serious concern and pose a threat to the effective use of oil revenues is that political and economic power is concentrated in the same hands. Though this is banned by the law, all public officials who make political decisions in the country are unofficially doing business and control specific spheres of economic activity. The business elite (in other words, the owners of major businesses) have achieved this not through market competition, but mainly through their position in the government, their closeness to government representatives, through their acquaintances and other illegal ways. The volume of their businesses and the level of their revenues are defined by their closeness to ruling groups and the level of their relations with them. The groups that have used resources and secured favourable rights for themselves in the business sphere through corruption, bureaucracy and the weak legal and court system have an interest in maintaining the current status quo and are making efforts to this end. This has clearly manifested itself in elections held in the country in recent years.

Along with this, regular clashes of interests between groups represented in the government become inevitable in such a sit-



uation and they are trying to knock each other out. An analysis of a number of processes that occurred in the country last year and are still continuing shows that the struggle between separate groups represented in the government for control over spheres of economic activity has entered a new phase.

This hinders the formation of effective state administrative institutions, weakens state regulation, delays reforms and so on. In return, reforms being carried out in various spheres of public life and the economy are being adapted to the wishes of governing groups, and various pseudo-institutions are being created under the guise of market and democratic institutions. All this delays the development of civil society in the country, deepens social stratification in society, does not allow a stable middle class to take shape and increases social tensions.

Finally, one of the important issues worthy of attention is the importance of ensuring efficiency and transparency in using oil revenues. A study by the National Budget Group shows that there is serious misspending and mismanagement in the sphere of using the big oil money coming into the country. The projects being implemented within the framework of state investments are not well-substantiated from a technical, economic or social point of view, and their transparency and accountability are not guaranteed. There is almost no parliamentary control over such issues, and it is impossible to ensure public control due to the obstacles created by government agencies.

We can spend a long time talking about this subject, but I do not want to bore you with a long-winded speech. I want to finish my speech here. Thank you for your attention.

If you have questions, I will be happy to answer them.

**Leyla Aliyeva:**

- Please, if you have a question.

**Participant:**

- My question is not relevant to the subject. I want to know your opinion about the results of the forthcoming referendum.

**Leyla Aliyeva:**

- The results of the referendum depend on you.

**Participant:**

- The reality is that this is Azerbaijan.

**Participant:**

- Only three months have passed since the last presidential election. Is this referendum necessary? This is a monarchy.

**Participant:**

- There is no unity here.

**Leyla Aliyeva:**

- From the 1920's, the Soviet regime wanted to annihilate and break intellectuals of the people, but they failed. I believe that everyone will express his/her position in this referendum. Thank you for organizing this meeting.

## **AN HISTORICAL OVERVIEW OF LOCAL SELF GOVERNMENT TRADITIONS IN AZERBAIJAN**

The town of Barda,  
27 March 2009

### **Leyla Aliyeva:**

I would like to greet you all on behalf of the Centre for National and International Studies, and would like to brief you on our project. As part of our project, conferences are being held on the modern problems of Azerbaijan. At the same time, as you can see in the programme for this conference, our project is dedicated to the 90th anniversary of the Azerbaijan Democratic Republic (ADR). This project was launched last year, and this year we are celebrating the 91st anniversary of the ADR. The main goal of the project is to look into the reform potential of the Azerbaijani people from an historical perspective.

The first conference held as part of the project was on the "Traditions of parliamentarianism". It was held in the town of Sheki. The second conference, held in the city of Ganja, was devoted to Azerbaijan's integration into Europe. Then we held an oil conference in Salyan. In Barda, we are going to have wide-ranging discussions about local government. Why did we choose this topic? The level of a nation's readiness for self-rule is one of the main elements of a democratic society. Sometimes we hear people saying that there is a lack of democratic traditions in Azerbaijan, which is why Azerbaijanis do not tend to embrace democracy. For this very reason, we should learn our history. Historian Haji Hasanov, who heads a department at the National Academy of Sciences of Azerbaijan, is going to speak about the traditions of local government in Azerbaijan in the 19th and early 20th centuries. Now Hasanov will take the floor.

### **Haji Hasanov:**

I would like to greet you all, and congratulate you on the holiday (Novruz) we have just celebrated. As Leyla said, I am going to talk about the local government traditions of the people of



Azerbaijan, and give a general description of the situation during the period in question. Some allege that there are not local government traditions in the East, including the Turkic-Muslim world. But if we look at Azerbaijan's legal and democratic past, we can see that these allegations are incorrect. Democratic values have a very long history in Azerbaijan. Being part of the Muslim-Turkic world, Azerbaijan has ancient democratic traditions. Its history of local government demonstrates this. I would like to deliver a speech based on specific facts.

In medieval Azerbaijan, towns and villages had very old traditions of self-rule. Maybe Azerbaijan did not have the kind of formally structured self-government seen in Western Europe, in Western civilization. However, Azerbaijan had "village assemblies", which played a very important role in the lives of village communities. A Kandkhuda (head of the village), as well as his deputies, special representatives, mirabs, juvars and other village officials were elected by village assemblies. Structures set up by village assemblies were responsible for maintaining public order within a particular village, as well as in the region where the village was located. An optimal symbiosis took shape between these bodies of self-government and official government structures in a way that helped ensure the normal functioning of public life without any paperwork or formality.

The structure of self-government in the Jar-Balakan jamaats (communities) was a clear example of both village and town communities in Azerbaijan. In Azerbaijani country studies, the Jar-Balakan jamaats are not viewed as an official state structure. However, this was the only feudal republic in our history.

The territory of the Jar-Balakan jamaats covered today's Zaqatala and Balakan districts and some surrounding areas. It was



a really vivid example of local government. All issues - from simple household issues to wars, peace and other inter-state issues - were discussed and decided at the general assembly of the community. Once a year, or twice a year if nothing extraordinary happened, all adult men from the Jar-Balakan jamaats would come together to discuss and resolve the problems of the communities. The distribution of pastures and grassland among village communities was also discussed and decided at such meetings.

Apart from the general bodies of government, each community had its own government structure that was made up by elders called sumuks by local Avars. The sumuks were elected by families that made up a particular community. They regulated the life of a specific community. State structures had no role in the election of these elders.

The elders were in a position to serve as the most important and last instance of justice on issues like the distribution of income, pastures, taxes and responsibilities among families in a village.

All this shows that village self-rule, or local government in general, was strong enough in Azerbaijan until the Russian invasion in the early 19th century. However, bodies of local government were not that strong in towns.

In Azerbaijan's medieval towns, there were some self-government bodies that regulated simple issues. You may already have heard of them. There were some organizations that regulated the economic lives of craftsmen. They maintained public order in towns, and organized defence against enemy attacks. The names of those organizations (such as akhis, or brothers) are familiar to people today.

Asnafs and akhis stand out among these organizations. Asnafs were professional organizations of craftsmen. Like



European guilds, they helped preserve the secrets of craftsmanship and ensured that these skills were passed on to future generations. On the other hand, asnafs ensured a fair distribution of taxes among members of the organization and provided economic assistance to the families of dead asnafs. Along with state bodies, both asnafs and akhis - which were pro-religious, political and, I would say, ideological organizations - sometimes played an important role in maintaining public order and in defending towns against enemy attacks.

Again, these may not fit in with the classic bodies of self-government defined by today's European legal values. But this was the self-government that was in line with the values of the East and the Muslim-Turkic East. This kind of self-rule was in place in the north of Azerbaijan in the early 19th century.

During the khanates, central government bodies would not usually interfere in the internal public, economic or ideological affairs of towns or villages. The khanate was the political system that usually dealt with issues of state importance. It would not meddle in the internal affairs of village communities. The central government of a khanate would tax mahals (regions), and the naibs (heads) of mahals would decide how this tax burden should be distributed in villages. The rest of the job was done in the villages. It was up to the heads of village communities and other village officials to decide on the payment of taxes by families living in a particular village. Therefore, the first Russian officials sent to the Caucasus were greatly surprised by the traditions and rules of local government in Azerbaijani villages.

The Russian authorities started their first census of property in northern Azerbaijan (today's Azerbaijani Republic) in about 1824. This was delayed by the outbreak of the second Russian-



Iranian war in 1826-1828, and was finally completed in 1830-1833. The findings of the census took the Russian authorities by surprise because it found out that some 15-20 per cent of households in village communities were exempt from tax. This was unusual for despotic Russia, where a bondage system was still in force. Russian officials were simply not aware of the opportunities or rights of local governments in the villages of the Muslim East.

Russia, which captured northern Azerbaijan in 1801-1830, was not happy with this situation. The Russian authorities did everything they could to restrict all local government institutions in northern Azerbaijan by Russian legislation and to establish full Russian control over those institutions.

The first steps were taken under Yermolov, the commander-in-chief of the Russian forces in the Caucasus. Those of you who are well-versed in history know that for the first time under Yermolov - if I am not mistaken, in 1817-1818 - a "Charter" emerged on the rights of aghas (lords or aristocrats) from Qazakh, Shamsaddil and Borchali and on their relations with peasants. This charter was signed by Yermolov.

The charter gave Armenians the right to establish their own communities in villages with a mixed (Azerbaijani and Armenian) population. This was the first step by the Russians to help their Armenian allies throw off the control of local Muslim government bodies. In this way, the Armenians were rewarded for their role in the occupation of Azerbaijan. But this charter was not widely enforced and was not effective.

I think that the legal and administrative/territorial reforms carried out in 1840 and 1841 were the first local government-related steps taken during tsarist colonial rule, which continued



until March 1917. As part of these reforms, on 6 December 1846 Nicholas I issued a decree to recognize the rights of bays and aghas in northern Azerbaijan. Their rights were made equal to those of lords. On 25 April 1847, a charter was issued to regulate relations between aghas and peasants in Qazakh, Shamsaddil and Borchali. A similar charter was issued for Shamakhi province (Russian: guberniya) on 28 May 1847.

According to those charters, administrative/police power over the peasants was handed over to bays and aghas. What it meant in fact was that bays were given the power to supervise elections to local government bodies. This practice ran counter to Azerbaijan's social and economic system, and to its centuries-old household law.

It did not take long before the tsarist government realized its mistake. By another law adopted in 1865, the police/court powers of aghas and bays over local government bodies were revoked, and every village community was given the right to elect bodies of local government.

Afterwards, special charters were issued on the public management of village communities in Baku province in 1866 and in Iravan province (Yerevanskaya gubernya) in 1870. I would say that those charters were the first legal documents in the history of northern Azerbaijan that regulated self-rule in villages. According to them, kandkhudas were the heads of the public management of village communities. General village assemblies elected them and defined their powers. The village assembly was the first authoritative body in a village after official government agencies.

All adult men over 15 years of age participated in village assemblies. An assembly elected a kandkhuda, his deputies and



members of the village court from among residents aged 25 and over for a three-year period. A village assembly had the power to distribute land and taxes. But despite the broad powers given to village assemblies, official government bodies had the final say. For instance, a kandkhuda elected by a village assembly had to be approved by the governor.

The decisions of village assemblies and the results of elections in an area of nearly 1,500 settlements had to be approved by the governor. Can you imagine? Deputy kandkhudas were to be approved by the heads of qazas (regions). What is more, in 1915 the tsarist government stepped up control over village communities. If village assemblies violated the law, if public order was disrupted on the territory of a village community, or if a village assembly attempted to re-elect somebody as kandkhuda against the will of the governor, the governor's office was given the power to appoint a state starshina (or kandkhuda) to that village. His salary had to be paid by the village as stipulated by the governor's office. In this way, the state further strengthened its control over villages.

In the early 20th century, and particularly during the start of the turmoil in the Caucasus following the events of 1905, a big campaign was kickstarted in the South Caucasus region, including northern Azerbaijan, for "zemstvos". This ploy was aimed at appeasing the angry people. The so-called "zemstvo" consultations were held in various provinces and regions to look for ways of establishing "zemstvos", or borders of local government, in the South Caucasus as in central parts of Russia. There were lengthy debates on whether "zemstvos" should be established in provinces, regions or districts. Various projects were drawn up and books were published. However, the issue was put on the back burner in 1909.

During the Azerbaijan Democratic Republic, there were some attempts to draw up new laws on local government, particularly on "zemstvos". But I regret to say that none of the five governments of the Azerbaijan Democratic Republic (ADR), which existed for only 23 months, was capable of achieving anything serious in this regard. In order to avoid anarchy, the government of the independent Azerbaijani state adopted special decisions on the use of previous laws on village communities with some changes. Special commissions of the ADR parliament did a really great job within a very short period of time and came up with a draft land law by 1919 and started discussions on the draft.

Today's history books say that the land law was drawn up in 1920. But the draft was already on the table in 1919 and was being discussed by parliament.

Based on all these facts, one can conclude that Azerbaijani towns, and villages in particular, have had local government institutions since the period of early feudalism. Those institutions were quite comprehensive and systematic. Maybe they did not meet European standards, but they differed in terms of their Eastern and Muslim-Turkic traits. These institutions had quite a significant role in the socioeconomic, sociopolitical and moral/ideological life of society and the villages. Therefore, it is totally groundless to claim that there were no traditions of democratic local government in Muslim and Turkic Azerbaijan. Thank you for your attention.

**Leyla Aliyeva:**

Thank you very much. That was really interesting. We will shortly start discussions about these institutions in the modern period. So if you have any questions on these historical themes, please go ahead and ask.



**Haji Hasanov:**

Excuse me, ladies and gentlemen. If you have any comments about my speech, if there is anything that you do not agree with, please ask. We are all democratic people here. We should have a discussion. Please be a bit more proactive, express your views. Did you like the speech or not? Was it right or wrong? What kinds of new special features does local government in the lowland part of Karabakh have? Please go ahead. We have come together to discuss all this.

**Participant:**

I have a question for Haji. Haji gave an excellent speech and spoke about reforms in the 19th century and the social system. But you did not mention one thing - Stolipyn's reforms. I think there was a reform in 1861 whereby peasants were given independence. Could you please tell us about that?

**Haji Hasanov:**

Thank you very much. Thank you for your suggestion. But I have to mention that the former Saratov governor, Petr Alekseyevich Stolypin who later became interior minister and then prime minister, probably had not been born in 1861. Stolypin's reforms were approved on 9 November 1906. The reform that you are speaking about was the reform of 19 February 1861. This was a decree issued by Alexander II to abolish bondage in Russia. A similar reform was conducted in Azerbaijan through the Charter of 14 May 1870. But the thing is that none of those charters (the 19 February 1861 Charter and the 14 May 1870 Charter, which was to regulate relations between lords and peasants in the Baku, Iravan and Yelizavetpol



provinces and in parts of Tiflis province) had anything to do with local government. They were only about the status of peasants as owners of land.

I would briefly like to explain the essence of both these reforms. The 19 February 1861 Charter applied only to 64 provinces in the European part of Russia. Peasants living on the farms of lords were given the right to buy their shares of land and turn them into private property. The state allocated quite a large amount of money to carry out this reform. In other words, peasants used budget money to buy their shares of land and then paid this money back to the state budget with interest within 26 years. In fact, Russian peasants greatly benefitted from this reform. As some peasants had not been able to pay off their debts fully by 1883, they were still paying previous taxes and carrying out previous obligations.

By special decree, the Russian government abolished temporary bondage in the European provinces of the empire in 1883-1886 and peasants became the owners of their land. This was started in Azerbaijan with the Charter of 14 May 1870. According to that charter, three issues - the personal dependence of peasants, the land issue and the tax issue - was to be resolved. Yes, it was declared that Azerbaijani peasants were free from that day forward and that they were not dependent on lords. But this provision had no practical importance for northern Azerbaijan, because under Shari'ah law no-one could be personally dependent on others. According to Islam, man is a special creature of Allah, and no-one can rule over him. I mean, this provision of the law had no importance for Azerbaijan. According to the charter, every male peasant in northern Azerbaijan who had reached the age of 15 was given

the right to buy 5 dessiatinas of land. This provision had no importance either, because the Tsar's treasury had not allocated money for peasants in northern Azerbaijan. It was no coincidence that within 42 years peasants in northern Azerbaijan purchased only 2,000-10,000 dessiatinas of land out of the 500,000 dessiatinas they were entitled to buy under this law. Half a million and 2,000: Can you see the difference? Therefore, the tsarist government approved new laws on 20 December 1912. Under these laws, what was enforced in Russia in 1861 was enforced in Azerbaijan as of 1 January 1913.

Again, I would like to say that none of the laws, including the Stolypin law, had anything to do with local government. According to Stolypin's reforms, which were announced on 9 November 1906, villagers were allowed to move to other places, to leave their communities and build independent khutors and otrubs. This loosened the power of communities over peasants. The events of 1905-1907 showed that the village community, which the tsarist monarchy had relied on for many centuries, was no longer a bastion of tsarism. Therefore, Stolypin decided to destroy the village community, to get the Russian peasant out and moving to other places to build khutors or otrubs.

**Participant:**

I have something to say. Haji gave an excellent description of the historical forms of local government. I mean, I had the impression that I was in heaven. It really makes quite an impression when you use academic language. Therefore, I have a proposal: let us listen to a speech about the current form of local government as well, and then we will compare them and express our views.



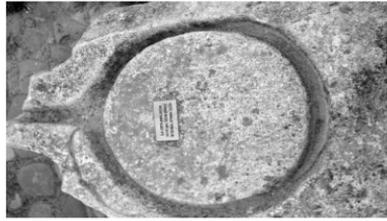
### **Leyla Aliyeva:**

We are going to continue our discussions on this topic. We will start talking about the current situation shortly. But one point in Haji's speech was very interesting for me. Sometimes even in foreign countries representatives from Azerbaijan claim that we are not ready for democracy because the people of Azerbaijan lived under khan's or foreign rule for a long period of time and they do not really understand what local government means. They say that many centuries are needed for the development of democracy. However, what we have heard here today proves that the opposite is true, and this is very important. I think it is very important that we know our history, because we have to be confident of our abilities. We should build up our confidence in ourselves.

I found a very interesting article in the Russian-language newspaper *Kaspiy*, which was published in the late 19th and early 20th centuries with support from the oil tycoon Zeynalabdin Tagiyev. The author of the article made an ironic remark about a letter an educated woman had sent to the newspaper. The letter reads:

"Dear editorial office of the newspaer. In the past five years, I have vacationed in Buzovna with my child. But every time, especially during the past three years, I encounter a disgraceful situation on the beach. There are dead fish on the shore. They stink terribly. The fish stay there for days or even weeks and there is no-one to pick them up. What should we do? Maybe you should appeal to a [state] body to deal with this situation?"

The newspaper's reply is really interesting. It says: "Woe to our intellectuals. They know very well that such a [state] body has never existed in Buzovna. However, they are still waiting in



the hope that one day such a body will come to clean the beach. Instead, they should have come together and cleaned it themselves."

This fact speaks volumes about the skills and traditions of local government in our country. We are facing the same problem today as well, can you believe it? We have a dacha in Absheron. I was brought up there. There is garbage all around there. People live in the garbage but do not do anything to improve things. Asked why they do nothing to clean up this garbage, they say they have complained to various state bodies but all in vain. They attribute this to a lack of money. People in developed democracies behave differently in situations like this. They do not rely on any institution or body that does not work or does not even exist. They do everything on their own. This is what local government is all about. We can move on to the modern period if you do not have any questions.

### **Participant:**

Haji's speech is really praiseworthy from an historical viewpoint. We should preserve and develop the traditions of local government in Azerbaijan. Based on these historical traditions, we need to improve the structures of local government. I really like the way this conference has been organized and the topic chosen. I welcome this and wish you every success in your work. I would like to suggest that everybody should contribute to the cause by honouring these principles in their areas of work. It was really interesting. Those who are not historians have also learnt about our past. We should all help to observe new traditions and respect our past.

**Leyla Aliyeva:**

If there are no questions, we can move on to the second part of our conference. Now Alasgar Mammadli is going to speak about the modern period. Then a representative from Barda will take the floor. He will talk about local problems. Alasgar Mammadli was educated in Turkey. He is a well-known expert. He has worked for several international organizations and participated in some of our projects. I am very happy to have him here at our conference.

**Alasgar Mammadli:**

I am really happy to be in Barda, in this beautiful town of Karabakh, on this lovely spring day. I am from Agdam. (Agdam is a district west of Barda) In fact, Agdam and Barda are the same place. From this viewpoint, this meeting of Karabakhis in Barda is a very good opportunity to sit down and discuss our problems, to listen to each other and exchange views. I am grateful to Leyla for all the things she is doing for Azerbaijan. She returns to her country from foreign climes, travels to all of the country's districts, meets people and shares her views with them. In 1989, Azerbaijanis were called the most proactive people in the world. Twenty years on, there is a sense of passivity in our society. It seems as though we are not capable of doing anything.

Local government means people's ability to freely resolve their problems on their own, without relying on somebody else. Despite the existence of state and official structures, our society always tries to resolve its problems on its own. For instance, an artesian well is damaged in a village. To ensure an uninterrupted supply of water to their farms, residents come together, collect money and call an expert to fix the problem. Or if a



cemetery needs to be cleaned, they do not expect somebody else to come and do the job. Everybody grabs a shovel or an axe and clears the cemetery of wild plants in order to prevent fires.

Why is self-rule so important? It is important because residents of a particular area know their problems better than those (officials) in Baku. Two days ago, an Azerbaijani TV channel showed a garbage area in Barda. Dogs were roaming around. A woman was shown saying in a loud voice that she cannot open the windows of her house because the rubbish is so close. This is a reality, and we are experiencing such problems today. If there is a problem, there are causes. If there are causes, there must also be ways to eliminate them.

In 1995, we all adopted a constitution. We went to the polls and voted. Before that, the text of the constitution was discussed by the public. The constitution said that local self-government in Azerbaijan would be carried out by *baladiyyas* (municipalities).

*Baladiyya* is an Arabic word. It means a small town. It is more about the self-rule of town communities. Whatever name you give to it, local government means people resolving their own problems on their own initiative and using their own powers. Let us look at today's Europe. Some of you may have visited European countries. We also travel to Europe and America when we have an opportunity to do so, and see how people live there. Self-government is strong in developed countries. I mean, strong self-rule brings about development. The centre (central government) does not always see problems. There are 16 districts in Germany. A system of centralized governance was established under Hitler. The world was then plagued by great problems, like Nazism and fascism. Germany was divided into



two parts in the 1950's. The centralized governance was replaced by local self-rule. As a result, Germany became one of the world's most developed countries in only 10 years. This was because the pace of development was evaluated correctly, the powers of the central government were restricted and local self-government was strengthened.

There is a special provision in the Azerbaijani constitution about the powers of municipalities. The Republic of Azerbaijan has chosen the path of integration with the West. Why with the West? Some people ask: Do we not have our own culture? Eastern culture is older and more traditional. But the notion of the "West" signifies the superiority of a human being as an individual. It means everything is to serve humans.

If my state is strong but I am weak, this means nothing. If we are both strong, and if I am in a position to resolve my problems on my own, if I am proud of being a citizen of my state, then the state becomes even stronger. In this respect, Western society puts a high value on humans.

Azerbaijan was ruled by Tsarist Russia between 1828 and 1918 and by Soviet Russia between 1918 and 1991. A little while ago, Haji gave an excellent description of Russia's development. Being a colony of the Russian empire, which did not view humans as living beings, naturally meant a loss of all traditions, independence and individual freedoms. We only struggled to survive in this period.

I think a lot about the roots of our problems. Some people seek these roots in the Muslim faith, some in our ethnic roots, others in our mentality. Honestly speaking, I do not like the word "mentality". I do not think our current problems have anything to do with our mentality. I will give you an example: By

1950, Korea was one nation, one state, one religion and one mentality. Later two poles emerged in Korea: one was pro-Socialist under Soviet influence, and the other became pro-Western under American influence. Then a war broke out between these two poles and the war continued until the mid-1950's. As a result, two states emerged there: North Korea and South Korea.

Today South Korea is a producer of very many things - household appliances, vehicles, etc. But North Korea is asking the UN for rice to survive and to stop its people starving. Now look: they used to be one nation, one state and even shared the same history. But now they are in such different conditions. While one of them is asking the world for help to survive, the other is among the world's 12 biggest economies. What is the cause of this difference? It is about proper management. In other words, if people are provided with the opportunities for proper management, they will not need others to help them. I mean, we can fall into the category of those who rule, and not into the category of those who are being ruled. From this viewpoint, the development of local self-government is important.

Many of you must have satellite receivers, and watch Turkish television. They have local elections on 29 March. The whole of Turkish society is on the streets. There is a bitter struggle between the political parties for municipalities. But in our country, the situation is quite the opposite. Local elections did not cause much interest in 1999 or in 2004. It will probably be the same during the next local elections to be held in December 2009. Because in our country, no-one views municipalities as serious bodies. Most people think that municipalities only deal with the sale of land plots.

But what is the reality? I have researched and found out that the city municipality of Mingachevir spends 73 per cent of its budget to keep itself up and running. In other words, if it makes 100 manats, it spends 73 manats of this on its own needs. Only 23 per cent of the budget is left. If a municipality cannot finance itself, how can it clean rubbish from the streets, how can it afford to buy vehicles, to build factories or other facilities? This is absolutely impossible. It means there is a problem. Let us look at the roots of this problem.

The interim provisions of the 1995 Constitution said that municipalities would be established in Azerbaijan in two years' time and that municipalities would carry out local self-government. But no municipality was created for two years. No progress was made in this respect in 1998 either. The process of establishing municipalities speeded up a little bit only thanks to Azerbaijan's bid to join the Council of Europe. The parliament hastily passed laws on the status and financial resources of municipalities. And finally, local elections were held on 12 December 1999.

But what powers did we give to these municipalities? The Milli Majlis has ratified the "Charter for local government in Europe". This charter was adopted in 1985 and came into force throughout Europe on 1 September 1988.

What is this charter for local government? This is a document which all members of the Council of Europe, including Azerbaijan, should bring their legislation into line with. The charter says that the powers of local government bodies should be full and exclusive. Full means these powers cannot be shared with anybody else, and exclusive means that no other state body can interfere in this sector. It is like this throughout the whole of Europe.



But in Azerbaijan, the powers of municipalities are neither full, nor exclusive. Therefore, Azerbaijan has violated the European Charter - although it has signed it - by adopting the law on the status of municipalities as it is. The Azerbaijani government went even further. On 16 June 1999, the Azerbaijani president signed the "Charter for local government bodies".

As you know, there is a norm in our Constitution, according to which, the Milli Majlis passes laws, but the president decides on all documents related to the functioning of the executive authorities. The Milli Majlis has no powers to define the responsibilities of the executive authorities. The president decides which jobs he is going to do, and leaves the rest to the Milli Majlis.

The charter for local government bodies was in fact a charter for local executive authorities. The 12 articles and 88 provisions of the charter detail the powers and responsibilities of local executive authorities. These powers include everything - from the problems of IDP's to economic issues and market relations. There is no single area that is fully controlled by municipalities. The charter is long and nicely written. But it contains no paragraph about the exclusive powers of municipalities. In this way, a municipality was turned into an adjunct to the local executive authorities. I do not want to offend the municipality heads or deputy heads present at this meeting because we have thoroughly investigated their problems. The problems of municipalities are also the problems of these people.

There are 2,758 municipalities in Azerbaijan. Each of them has problems. On the whole, Azerbaijani municipalities spend 60 per cent of their annual budgets to keep themselves up and running. Can a family, which does not have enough money for itself, help its neighbour? Above all, political will is needed to change the situation. We have to admit that the Azerbaijani peo-



ple are capable of running their own affairs. Really incapable people are appointed to positions [in the regions] by the centre. There is no need for this.

For instance, during the Soviet period Barda supplied various regions of Russia with tomatoes, cucumbers and other agricultural produce. These products were transported in lorries. Every single family in Barda had its own vehicle. Every single family had a beautiful house. The people of Barda are hard working. They are capable of running their own affairs. This is the case in every region of Azerbaijan. They only need to be provided with opportunities to do so. Instead of giving bread to people, they should be helped to earn their own bread. Therefore, local self-government should be promoted so that people can run their own affairs.

Then why do we need a central government? The state has countless responsibilities. It has to build a strong army, defend borders and pursue foreign policy. This is the number one responsibility of a state. Second, the state should determine taxes. It has to make sure that taxes go to the budgets of municipalities and further on to the state budget.

Let me give you an example. The annual budget of Istanbul's Buyuksehir Municipality is eight times that of Azerbaijan's state budget. Every year, the Buyuksehir Municipality subsidizes local municipalities to the tune of 1.5 billion dollars.

In our country, however, only two kinds of taxes are paid to municipalities: the land tax and property tax. There is a provision in the law on property tax. It says that property with an estimated value of less than 6,000 manats is not taxed. Is there any property that costs over 6,000 manats? If we looked at inventories, we see that the value of property owned by people is less than 6,000 manats. Therefore, the property tax for

municipalities is only on paper. When it comes to land tax, this is too small in our country. Land taxes account for less than 10 per cent of the budget of municipalities.

We should try and make sure that municipalities are given more powers. The central government, the executive authorities should remain, but the powers of executive authorities need to be restricted. The powers of municipalities, particularly the powers related to public utilities, the economy and services, should be expanded. These powers should be given only to municipalities.

If members and the head of a municipality are elected by people living in a particular quarter of a town or village, residents can complain to them if their expectations are not met. They can say: "Hey, brother, we elected you and you promised us golden mountains. What has happened to these promises?" In such a case, a municipality head would be worried. They would attend meetings and explain to people why they had not been able to honour their promises. If a leader, a manager knows that he has been appointed by the centre, and that he reports to only one person, then he can turn his back on people. I am not saying that they are all doing so, but this is possible.

Who appoints them? The president, for instance. Then they do everything to please the president, because if the president appoints them, he can also sack them whenever he deems necessary, without giving any reason. The legal status of Azerbaijani municipalities is very weak and does not meet European standards. This is because the appointed heads of executive authorities wield power, but elected people have no power.

We saw this once again in the 18 March referendum. I would like to speak openly. A provision requiring municipalities to report to the Milli Majlis was put to the referendum and approved. The

Milli Majlis is an elected body. An elected body does not report to another elected body in any country of the world. An elected body reports to people who have elected it. This is a ridiculous norm. The Venice Commission of the Council of Europe also protested this norm, but to no avail. If we really have chosen a direction, we have to follow that direction. If we change direction, if we cook our meal using our own oil and pan, then that is another matter. Then let us close all our borders, block our view of any European country, and stop telling people who are also Europeans that we attach great value to humans. Let us say that this is our mentality: one group of people should live well, while the others should suffer, and that we should establish this system.

**Leyla Aliyeva:**

Thank you very much, Alasgar. Now let us move on to discussions. If you have any comments or questions, please go ahead. I have a remark about the ladies [attending the conference]. They are silent and are not participating in the discussions. I would encourage them to be more active.

**Participant:**

Let us start discussions based on comparisons.

**Alasgar Mammadli:**

I have expressed my views. Some of you may not agree with me. But I have to say that I was educated abroad, I got my degree in a foreign country, worked in Istanbul as a lawyer for four years and have travelled to many countries of the world. That is why I am in a position to compare. I can see that we live beneath our potential. Our people are intelligent and hard working. However,



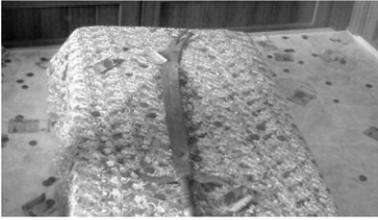
our living standards are much lower than the living standards of those who have poorer capacities than we do. This means that there is a problem which we should discuss and resolve.

**Participant:**

Local self-government has truly been strong throughout Azerbaijani history. Perhaps it has been stronger than in other Muslim or Christian countries. In Azerbaijan, the most serious problem is that we are not demanding to each other. This is the case even in families. There are many things in the law. It has both loopholes and good points. But no-one wants to use the law. I am a lawyer. People do not have the courage to fully demand their rights. I think that each person should know his/her rights in the first place. For self-government, people need to know their rights. I am not talking about government officials, but the rights and responsibilities of each citizen. Say, today I went out onto the street. A deputy head of the municipality was also on the street. We have a cemetery over there. People dump rubbish in an area next to the cemetery. I appeal to all the relevant bodies and citizens, but this yields no results. In fact, this is not my direct responsibility. I do so as a citizen, as a resident of the area. Today anybody you talk to says: "There is only one man (with power) in the district. We will do whatever he tells us to do." Nobody wants to have his/her own opinion.

**Participant:**

Hey, brother, what are you talking about? None of our 11 ministers wants to receive citizens. I sent a telegram a month ago. They still do not want to receive me. We have many problems to discuss.



**Participant:**

How should a society adopt new laws? A municipality campaign was held in 1999. Only a few provisions of the law were put up for public debate. It was only a campaign (a show). None of the adopted versions was realistic. When do people adopt new laws? Before a law is adopted, some relations should emerge in society, and a law is needed to regulate these relations. But in our country, the law is created first. Will this law work or not? No-one cares about this. Therefore, 75-80 per cent of our laws do not work. Because they do not reflect real life. We only copy laws. We translate Russian laws and put them on the table. Municipalities will never work in Azerbaijan, because in our country local self-government is only on paper.

**Participant:**

Can anyone suggest a way out? It would be better if all these things were explained to municipalities.

**Participant:**

Look. The authorities are putting more pressure on the municipalities instead of giving them more freedom. They have adopted another law, which requires municipalities to report to the Milli Majlis. Municipalities are being subjected to greater pressure and intimidation.

**Participant:**

Wait a second. In Barda, 80 per cent of the population is engaged in trade. Taxes collected from trade should be enough for the municipality.

**Participant:**

The municipality collects tax from us. But it is doing nothing for us. Our streets are all in a terrible state.

**Participant:**

Hang on a minute. Let me speak. Today the municipality is an organization which simply does what it is told to do. I mean, it is there to fulfill orders from the executive authorities. If a municipality has no power, if a municipality does not finance itself, it will look like a dead child, as you said a while ago. To resuscitate this dead child, the state should first finance it. There can be no municipality without financial resources.

**Participant:**

There is a large dump next to the JEK (public utilities department). Can you imagine? Interestingly, people from other parts of town bring their rubbish to this dump. How long can this be tolerated? How come the municipality in the village of Qoyunbinasi in Yevlakh District does not allow people to throw rubbish onto the street? It demands that each family dig a well in the yard and burns rubbish. If five people were fined, no-one would have thrown rubbish onto the street. But you are not doing this. And the JEK does nothing but collect money from people. Today people do not have even one manat to give to you. Where will they get the money from to pay off their debt to you?

People need to be educated. Now let me speak about a well we have dug. Every day children throw stones into it. But no parent comes out to stop them. Can you imagine? A few days ago, we called people and said that the well was their common property. We urged them to protect the well. If we dismantled

one of the slates over the well and gave it to a poor person, they [the residents] would be very angry. But they do not stop their children from throwing stones into it. Therefore, I think that our people need to be educated. Every person should protect the area where he lives.

**Participant:**

I have something to add. A lady has just said that 80 per cent of Barda's population are engaged in trade. It is clear that the tax collected from them goes to the treasury bodies. But municipalities get tax for land, for instance for a plot of land on which a shop has been built. Some businessmen do not even pay that tax. I remember a municipality official coming to my street and demanding land tax. I told him: How can you ask me for land tax if you have not repaired this street? I said we would pay tax, but they should repair the street first. I mean, they do nothing but ask for money.

**Leyla Aliyeva:**

We will continue these discussions after this speech. Do not worry. Everybody will have an opportunity to speak.

**Participant:**

Most of the speakers have been critical. But let me thank you for your comprehensive speeches. You have delivered really good speeches, covering almost all issues. There has been much criticism. But I would like to say that every person should start with himself. Let us bear this in mind. If I open my window and throw out garbage, I should carry out a revolution in my mind and not blame the municipality. All of you know that today



municipalities are formal in nature. There are over 100 municipalities in Barda. Almost all of them get subsidies. You were right in saying that the city municipality in Mingachevir spends 73 per cent of its budget on itself. It is over 90 per cent in Barda. Only the Qaradamirchi and Xanarab municipalities have budgets which are adequate. The rest live on subsidies. A municipality of 30 homes gets 800 manats, and a village of 100 homes gets 1,800 manats in subsidies. If a municipality lives on subsidies, what can it do? You are right that the legal side of this problem should be resolved. The status of municipalities should be resolved before they can achieve anything. Otherwise, they will not be able to function. Let us not deceive ourselves. Second, what is required is a revolution in our minds.

**Leyla Aliyeva:**

Thank you and let's finish this part. We can continue these discussions after the second speech. Over to the next participant.

**Participant:**

Thank you, Leyla. Happy holiday (Novruz) to all of you. I would also like to thank the speakers for the detailed information they have given to us. A municipality is a local government body. Its budget comprises taxes and duties. A municipality cannot develop if no tax or duty is collected. Everything that you do requires money. If you have no money, how can you build an asphalt road or carry out other construction work? If somebody does not pay taxes, administrative measures should be taken against him. But a municipality has no power to do that. This means that there is a loophole in the law. For instance, the Barda municipality cannot collect tax from local stone quarries.



We have appealed to the court, and have been waiting for six months now. A municipality has to have punitive powers. Everybody says that municipalities do not work well. But the Barda municipality has achieved a lot within a short period of time. The road leading from the boarding school to school No 7 has been fully resurfaced with asphalt. This required a lot of money. A stone fence has been erected along a 200-metre stretch of the road connecting Barda with Tartar. People should be educated to pay taxes. Municipalities will not be able to do anything if no tax is collected.

**Participant:**

The municipality is not working.

**Participant:**

Why? Because there are difficulties. There are cadastre and land departments. They should define the boundaries of land that belong to municipalities. But they are not doing this. And the municipality does not know if a particular patch of land belongs to it or to the state.

**Participant:**

They (the cadastre and land departments) have maps. It is necessary to go and get them. People should go to court.

**Participant:**

You said a little earlier that your street has not been surfaced although you pay your taxes. The municipality needs money to surface your street. The municipality does not get money from the state. Their main source of income is tax collected from the people.

**Participant:**

What about subsidies?

**Participant:**

They give a subsidy once a year if they give it at all. I have to pay money if I want to remove this glass of water from here. But I do not have the money.

**Participant:**

You have to find sources of money yourselves.

**Participant:**

We have sued six quarries. They owe us money but do not want to pay.

**Participant:**

What does the court say?

**Participant:**

The court says "Wait for six months".

**Leyla Aliyeva:**

Thank you very much. Now let us move on to discussions.

**Participant:**

Do you have any questions for me?

**Participant:**

Yes, I do. The last speaker gave us a lot of information. Because of my job, I meet many people and talk to them.

Therefore, I know quite a lot. But I did not know that these things, especially the repair work on Samad Vurgun street, were being done by the municipality. I saw a representative of the executive authorities standing by you, managing all the work. This led me to think that these things were being done by him (the executive authorities). Therefore, no-one believes you are working.

**Participant:**

You can also stand by me while I work. That would not mean that I do not work.

**Participant:**

No, I mean you have to tell people what you are doing. There should be transparency so that people trust you. If they trust you, they will pay their taxes. Even I did not know about these things. How could they?

**Leyla Aliyeva:**

This is a useful explanation. I would like to comment on several issues. First, the esteemed gentleman over there said that there should be a revolution in our minds. Instead of living in rubbish, we need to collect this rubbish ourselves. This is where self-government starts. What does self-government mean? A person goes to another and says: "Let us get together and resolve the garbage problem. We have to elect a leader among us who can manage this job." This is the main model of self-government. It is impossible to have relations of this kind if municipality officials are not elected by the people. Because people did not elect them, they got their positions without my consent. They are not dependent on me, therefore I cannot



demand anything of them. Why should they do things for the people if they do not really depend on the people?

**Participant:**

Excuse me, Leyla. I would like to briefly tell you something. I have my own entourage (people who are around me). When I hear something new, I pass this information on to some 500-600 people. If I do not know something, my people do not know it either. Some 100 people should come together (and get information) so that they can all pass this information on to 500 people each. Some 50,000 people will get this information in this way. But this method is not being used.

**Alasgar Mammadli:**

This is a valid point. If we do a lot, but do not let people know about it, then the impression is created that we have done nothing. But there is one other thing: If I am the head of a municipality, but do not have money, power or freedom to act, I will not be able to do anything. The executive authorities will tell me: Go and resurface the Samad Vurgun street with asphalt. And I will do the job. But this will not be self-government. During the Soviet period, people did not pay for the electricity they used. Then Barmek came and explained to people that they have to pay for electricity. Today, 99 per cent of the population pays for electricity, because they know that they won't have electricity if they do not pay. It is the same with gas and water. The thing is that people pay if they get the services. Otherwise, they do not pay.

Say, the annual budget of Barda District is 20 million manats. No-one cares where this money goes. But we do care about the



1.5 million manats the municipality collects from us. At this meeting, 50 people have asked municipality representative about that money. This is because of the nature of this system. He (representative of the Barda municipality) has been elected by them.

**A participant:**

This is because he has done nothing for us.

**Alasgar Mammadli:**

He has not because he cannot. If a municipality fulfills only 23 per cent of its budget and spends 18 per cent on salaries, what can it do with the remaining 3 per cent? Municipalities make some money from the sale of land. They can do something with that money. If you go to a municipality and ask for an official document about the money spent on construction of an asphalt road, it may turn out that the actual figure is greater than the one shown in the document because some costs are not documented.

**Participant:**

I am not talking about money that is misspent. I am talking about the money that is really spent

**Alasgar Mammadli:**

As you can see, some money is still being misspent. Recently, I talked to a village representative of the executive authorities. He said that electricity bills had not been paid (in the village) for six months. The debt amounted to 18,000 manats. He said he sold all his cattle to pay this money. I told him: "You could have bought a decent car for 18,000 manats. Why did you pay it?" He

said: "What could I do? The executive authorities demanded that the debt be paid off within a month. I had no choice other than selling my cattle."

The problem is that we cannot watch how state funds are being spent. Had we been able to watch, we would have seen why the government had spent 320 million manats on the construction of a 14-km road in Baku. At the current rate, 320 million manats would be enough to subsidize all of Azerbaijan's municipalities for 300 years. In 1999, only 1.2 million manats were allocated to the municipalities as subsidies. It was 1.4 million manats in 2000. But they allocate 320 million manats for the construction of a road. This means that we cannot use money effectively. If money was spent effectively, you would not have to feed 10 families. Because the state allocated 240 million manats to help poor families throughout the year. But everybody says that 40 per cent of these allowances are paid as bribes. Even needy people cannot get this money without paying bribes.

**Participant:**

Alasgar muallim, there is a plan. Each municipality must help 10 people.

**Alasgar Mammadli:**

There is a need for management reform in Azerbaijan. The notion of "representatives of the executive authorities" should be rejected, and municipalities should take on these responsibilities. The powers of the executive authorities should be restricted. They should only keep some shared powers with the municipalities.

**Participant:**

Why is Moscow's mayor elected?

**Alasgar Mammadli:**

Why is it impossible? Did you not go to the polls and cast your vote?

**Participant:**

Which election are you talking about?

**Alasgar Mammadli:**

Any election. Yesterday's referendum, for instance. You perhaps voted for an unknown number of people as well?

**Participant:**

I did take part in the election. But it is my own business how I voted. It is not anybody else's business.

**Alasgar Mammadli:**

I am talking about the real situation. You must know the Tariff Council. The Tariff Council trebled the prices of oil and electricity - from 1.8 qapiks to 6 qapiks. I personally sued the Tariff Council and Heydar Babayev (former head of the council). Because by law, prices should be increased a month after (a decision to raise them). During one month, they illegally collected 20 million manats from us (all consumers of electricity). Now this case is being considered by the European Court. Heydar Babayev is no longer in office, but I am still fighting to get that money back because they collected it illegally.



As a citizen, I sent a query to the Milli Majlis. It declined to provide the name by name results of a vote, and therefore I sued it. The first instance court supported the Milli Majlis. The Appeal Court also upheld that decision. The Supreme Court, however, blamed the Milli Majlis and referred the case back to the court of first instance as it realized that the case would go to the European Court of Human Rights. And then the Milli Majlis responded to my query. If I fight for something as a citizen, I get it. Rights did not come to any European country on their own. They have all been fought for. Even kings have been killed when they refused to grant these rights.

We are holding local elections in 2009. We have to be more proactive and elect better municipalities. We should also demand that our representatives at the Milli Majlis adopt the right laws.

**Participant:**

There is a plate on the door of the municipality reading that this is a municipality. This is something good. But it would have been even better if another plate with information about the municipality's responsibilities had been stuck on the door. This would have let us know what work the municipality is doing.

On the second issue, yes, there is a Tariff Council in Azerbaijan. A train ticket from Barda to Baku costs 6 manats while from Baku to Barda it costs only 3 manats. Why do we need this Tariff Council? During holidays, you cannot get tickets for the train, bus or even a taxi to come to Barda.

**Participant:**

The Tariff Council is there for the monopolists.

**Participant:**

You have provided us, Barda residents, with very useful information at today's conference. I must say that in Barda there are good municipalities as well. I know comrades elected to the municipalities as honest people. They could do a lot if they had the proper power and funds. Thank you very much. You have given us very useful information.

**Leyla Aliyeva:**

We are finishing now. But if you have anything to say, please go ahead. We can organize more meetings of this kind. I am grateful to you all. Thanks to all of the speakers here. Thank you for your time and for your active participation. You made very good comments here. Therefore, we will always have good memories of Barda. There are courageous people with free ideas here. I have once again been reassured that we have a very independent public.

## **THE TRADITIONS AND CURRENT DEVELOPMENT OF AZERBAIJANI JOURNALISM**

**Shirvan conference  
25 April 2009**

### **Leyla Aliyeva:**

- Good morning, dear participants in this conference. Today's conference is dedicated to journalism. We have invited well-known experts and scholars here because journalism is one of the most important components of a democratic society. Journalism holds the whole world in its hands. I think that journalism is an important support to the state. At the same time, journalism can also be perceived as a threat to some regimes, because journalists have genuine information which is a very powerful weapon.

The main purpose of our project is to look into the current situation of Azerbaijan in an historical context. This is very important because there are no people without history and there is no national identity without historical memory. What is the national identity of Azerbaijan? Where did the formation of this identity begin? Of course, from ancient historical times. But the foundation of our modern national statehood was laid in 1918. In Soviet times, they tried to create a new people. In other words, they tried to separate Azerbaijanis from their historical roots and create a new community of treacherous people.

However, despite all these attempts, the Soviet regime failed to achieve its goal. This history was not erased from our consciousness but was maintained. The history of the ADR proves Azerbaijan potential to develop into a free and democratic state and the nation.

If you look at the programme of today's conference, you will see that the first report will focus on history and that we will be talking about the traditions and history of Azerbaijani journalism. The second report is devoted to the problems of local journalism. Esteemed Alibay will talk about this issue. The third

report is about the post-Soviet condition of Azerbaijani journalism. That report will be made by the well-known journalist Shahvalad Chobanoglu. I hope that you will actively participate in discussions on the reports because this develops understanding of the subject. Please feel free. We will generalize these discussions and publish them in English and Azerbaijani. I would like to welcome you again. Now we are giving the floor to the historian Aydin Balayev.

**Aydin Balayev:**

- Allow me to welcome you all first of all and express my thanks to you for coming here today. Leyla has already given you information about the topic, which is dedicated to journalism. Naturally, it is impossible to discuss all the problems of journalism in the space of two hours. Moreover, it is impossible to solve all these problems within this time. We shall simply all draw some parallels between the Azerbaijani journalism of 100 years ago and present-day Azerbaijani journalism. Alibay will speak about the state of local journalism in Shirvan. For this reason, I will not waste your time. Now allow me to give the floor to Nasiman.

**Nasiman Yaqublu:**

- I would like to welcome you all. There are people I know here, and I would like to express my good wishes to them. Thank you all for joining our conference. I have been invited here as an expert, that's to say as an expert on the press and journalism. For this reason, this will be the main direction of my speech.

Scientists have calculated that from 5 to 15 million news reports and pieces of information are posted on the Internet



every day. We are currently living in a very complex time, at a time of information technologies, and if we are able to get from 5 to 15 million reports from the Internet in one place, then you are really surrounded by a complex information environment. In this sense, regardless of the quality of that information, we are certainly citizens of an information society.

It is interesting that when the year 2000 came to an end, scientists conducted the following poll: "What was the greatest discovery of the previous millennium?" If we take a look at that millennium, we can all admit that there were plenty of great discoveries. In the past millennium, space was discovered, the atom was discovered and there were so many discoveries. That's to say, there were a lot of great discoveries and each of them played a very important role in the fate of people and mankind. But it is very interesting that the majority of respondents said that the greatest discovery of the past millennium was the printing machine invented by Gutenberg in Germany in the 15th century.

Why was the printing machine singled out as the greatest discovery of the past century? Because scientists decided that the invention of the printing machine laid the foundations for our information society. A cultural rapprochement occurred between different peoples, and we call this a process of convergence. Different peoples became aware of each other's fate and life, books were printed, newspapers and journals, which are regarded as one of the most important means of disseminating information, started to be printed. All this began from the printing machine which Gutenberg invented in the German city of Mainz. For this reason, Gutenberg's printing machine was named as the greatest discovery of the past millennium.



But it is very interesting that we acquired these discoveries, this technology that makes it possible to disseminate information, a little bit later than European states. If the first books were published in Europe from the 15th century onwards and the first newspaper from the 16th century, and Europeans started developing as informed people, this reached us very late. For example, our first newspaper was published in 1875 - Zardabi's "Akinchi" newspaper. From this point of view, we are three centuries behind Europe. For example, the first newspaper in Turkey was published in 1835.

Now we should mention information's role as a "weapon", as we are at war with the Armenians today. We forget that in terms of information, the Armenians have always been ahead of us. For example, the Armenians published their first newspaper in India, Kashmir, in 1797. You see, the Armenians are one century ahead of us. I want to say that well-prepared people and nations can resolve their problems more easily. Unprepared people and unprepared nations are sometimes late and suddenly you see that they have difficulty resolving their problems.

The press is not an ordinary issue. Sometimes we view the press as an everyday thing to be read. I teach in the faculty of journalism at Baku State University. I have been working there as a teacher for 16 years. I teach the history of the press. As a teacher who teaches the history of the press, I never look at the papers as ordinary bearers of information and I do not teach it that way, because the press has long gone beyond that function. The influence of the press is extremely wide-ranging. The press and electronic media should not be perceived as ordinary bearers of information today. Today the press has turned into a means that has a very serious influence on public life.

The French have an interesting saying. You know that one of the greatest days in French history is the taking of the Bastille. The French mark the taking of the Bastille as the greatest event in their history. The French have a very interesting saying: "If they told us today to take the Bastille, that's to say if this problem still existed, this fortress would probably never have been taken," because everyone would be watching TV and the fortress would not have been taken. In other words, the electronic media have entered our life so quickly today that we have to take this into account.

We should take into account that the press is very strong, and in 1875, the founder of the Azerbaijani press, Hasan Zardabi, laid the foundations of a public-political movement by setting up the "Akinchi" newspaper. In fact, we now classify the political struggle and the struggle for freedom in Azerbaijan. For example, we begin the foundation of the cultural education movement from Mirza Fatali Akhundov. I think it was Zardabi who started the public-political movement in 1875. Why am I saying this? Because the newspaper fulfills both a political and public function.

I would like to mention another fact. For your information, I should say that the Armenians set up their first political organization in 1735. They were 100 years ahead of us again. If the political organization of a people is strong and their history is ancient, those people's power of resistance and experience is great, or to be more precise, in this sense, I would like to bring this fact to your attention as information again. It is natural that the establishment of the press in Azerbaijan has gone through various stages.

It is very interesting that people always asked Zardabi why he called his newspaper "Akinchi" (Ploughman). He always replied that he was not allowed to open a political newspaper.

Tsarist Russia abolished the system of serfdom in 1861. Only in 1865, did the tsar issue a decree allowing various peoples in the provinces to establish their own press. According to the Gulistan Treaty of 1813 and the Turkmanchay Treaty of 1828, Azerbaijan was incorporated into Russia. That's to say, until 1865 the Russian state gave official permission to open a newspaper. Only after the decision made in 1865, a new movement began in this country and the "Akinchi" newspaper was opened in 1875. The statute of the newspaper said that the newspaper would not be engaged in politics. For this reason, Zardabi called his newspaper "Akinchi". This is why the "Akinchi" newspaper is regarded as the first example of our press. During the two years it was published, the "Akinchi" newspaper left such a rich legacy that we are still using the experience of this newspaper despite the fact that so many years have passed - one century has passed. Indeed, sometimes one person plays a very important role in the fate of one people. He plays a role that is equal to centuries, and I would like to highlight Zardabi's role.

I regard the "Kaspi" newspaper as a second stage, although it was published in Russian. Although "Kaspi" was published in Russian, it united many Azerbaijani-speaking journalists and intellectuals.

See what interesting staff the newspaper had - Alimardan Topchubashov, Hasan Zardabi, Ahmad Agaoglu and Alibay Huseynzada. We found a very interesting fact in the archive recently. It turns out that Rasulzada worked as a proofreader at the "Kaspi" newspaper. He was only 17 at the time. Imagine that the 17-year-old Rasulzada read Topchubashov's articles and looked for mistakes there. It is natural that we are not talking about typos here. He read articles by Alibay Huseynzada and Ahmad Agaoglu. When we talk about Rasulzada's formation as a

personality, we should certainly mention his work at the "Kaspi" newspaper. That environment played a great role in his formation.

I myself have worked as a proofreader as well. That's why I know that working as a proofreader in a newspaper is like studying its roots. From this point of view, the "Kaspi" newspaper played a great role. And naturally, we should mention Haji Zeynalabdin Tagiyev, a great benefactor, philanthropist and millionaire.

Haji Zeynalabdin Tagiyev bought all the property of the "Kaspi" newspaper in 1897, and it is very interesting that he appointed Alimardan Topchubashov as its first editor-in-chief. It is very interesting that this was the first time that an Azerbaijani had been appointed as head of a Russian-language newspaper and this was one of Tagiyev's great contributions.

Nowadays, in the 21st century, one of the biggest problems of Azerbaijani intellectuals and society is that there is no relationship between wealthy people and intellectuals. Wealthy people have turned into a single group, as if they had nothing to do with Azerbaijan and had no relations with intellectuals. One person prepares a book, and not a single wealthy person offers to help him publish his book. Wealthy people are happy to construct a building, to have their evening meal in London, then go and have a cup of tea in Istanbul and spend their money, but they are not spending their money on maintaining even one cultural monument of the people. Tagiyev spent his money on the education of the Azerbaijani people and intellectuals, on establishing relations with intellectuals, on opening newspapers and magazines. What prompted Tagiyev to do this?

Tagiyev lived in part of the building of the Azerbaijani Prosecutor-General's Office - on the second floor. Zardabi lived on the third floor. They were neighbours. When Tagiyev came

home, he first invited Zardabi to be his guest. Zardabi played a great role in Tagiyev's formation as a benefactor and personality. When Zardabi visited, he also invited Alimardan Topchubashov, Ahmad Agaoglu and Alibay Huseynzada. That's to say Haji was surrounded by such people and honest intellectuals. Ask one of our wealthy people now who he is mixing with. None of them will mention an intellectual. This is a very serious issue, because a lot depends on a person's entourage.

With the appointment of Alimardan Topchubashov as editor-in-chief of the "Kaspi" newspaper in 1897, a great period began in the history of the Azerbaijani press. As "Kaspi" was published in Russian, it soon became an all-Russian newspaper because it raised such global issues and problems that all of Russia and all Russian provinces started reading that newspaper and "Kaspi" turned into a very powerful newspaper.

Until 1903, 37 newspapers were published in Azerbaijan. Thirty of them were in Russian, four in Armenian and three in Georgian. These newspapers were published in Azerbaijan. But none of these 37 was in Azerbaijani. Only in 1903 did the "Shargi-Rus" newspaper see the light of day in Azerbaijani, and not in Baku, but in Tiflis. Its editor was Mahammad Aga Shahtakhtli. Now Mahammad Aga Shahtakhtli's great-grandson is acting head of the OSCE office in Baku. He has come to the place where his grandfather used to publish a newspaper.

I mean that there was no Azerbaijani-language press until 1903. As a result of the policy pursued by tsarist Russia, there was a long break after the "Akinchi" newspaper. It was not permitted to open a newspaper in Azerbaijani.

After the "Sharhgi-Rus" newspaper, we cannot fail to mention the "Hayat" newspaper, which raised national problems and



was one of the strongest representatives of our first national press. From 7 July 1905, Alibay Huseynzada started publishing a newspaper called "Hayat" in Baku, and it was the first press outlet in Azerbaijan which was published in our Azerbaijani language. Its editors-in-chief were Alibay Huseynzada and Ahmad Agaoglu. A short while later, from December 1905, Ahmad Agaolgu started publishing a second newspaper - "Irshad". Irshad means "showing a bright path". Later on, the "Molla Nasraddin" magazine, "Taraqqi", "Takamul" and other newspapers were published. Our press developed rapidly. There were several reasons why there were so many newspapers. The main reason was that the Azerbaijanis were part of Russia. Had it not been for the Russian revolution of 1905-1907, so many newspapers would not have been allowed to come out and work so actively because, in some way, the revolution of 1905-1907 created conditions for freedom of speech and freedom of the press to emerge. The result of this was that many magazines and newspapers started to be published. Next year will mark the 100th anniversary of the establishment of our first women's publication. In 1910, the first women's magazine called "Ishiq" saw the light of day under the leadership of Khadija Ismayilzada. This is a graphic example of how much our press had developed.

When talking about the Azerbaijani press, we cannot fail to mention Mirza Jalil Mammadquluzada, who founded our satirical press after Zardabi, Topchubashov, Mahammad Aga Shahtakhtli, Alibay Huseynzada and Ahmad Agaoglu. Mammadquluzada founded our satirical press and Rasulzada - the first newspaper that was published in literary Azerbaijani Turkish. The "Achiq Soz" newspaper, which was published on 2 October 1915, was

the first press outlet published in literary Azerbaijani Turkish. Why am I stressing this specifically? Because until then, newspaper language was full of Arabic-Persian and Ottoman Turkish words. It was even impossible to understand some newspapers.

For example, in the film "O Olmasin, Bu Olsun", no-one understood what Rza bay said. Finally, Mashadi Ibad said: "I have read half of Tarikhi-Nadir, but I don't understand what you are saying."

Rasulzada was the first to put an end to this. He waged a great struggle for the purity of our language. After his return from Turkey in 1913, he wrote a series of articles entitled "What is National Vivacity?" and was the first to fight for purity of the language in the press.

The greatest and most interesting period in the development of the Azerbaijani press was 1918-1920, because we established our first independent state in that period and laid the foundations of a democratic republic in the East and in the whole Turkic world. This was our greatest achievement. The greatest example that demonstrated the true scope of this state was its attitude to the press. Note that during the 23 months of its existence, the Azerbaijan Democratic Republic adopted eight decisions regarding the press. I would like to draw your attention to some of these decisions on the development of the Azerbaijani press. The first decision was on the founding of the "Azerbaijan" newspaper. That's to say, the first decision was to set up a newspaper in the Azerbaijani language.

Why was this newspaper called "Azerbaijan"? Jeyhun Hajibayli wrote in his memoirs: "We wanted the name of our state to be propagated and that's why we named our newspaper after our republic - "Azerbaijan". The first editors-in-chief of the newspaper were Jeyhun Hajibayli and Shafibay Rustambayli. A

short while later, the newspaper was split into two parts. The editor of the Azerbaijani-language version was Jeyhun Hajibayli and of the Russian-language version - Shafibay Rustambayli. Later, Jeyhun Hajibayli went to France to participate in the Versailles Peace Conference as a member of the Azerbaijani delegation.

I would like to highlight a second point. Censorship of the press was lifted on 9 November 1918. This was a great event. Note that two important decisions were adopted on that day. The first one was the decision on our tricolor, and a short while later censorship on the press was abolished. Both decisions were made on the same day. Why am I stressing this? The sanctity of the tricolor was as important for the founders of the People's Republic, the people who founded our national state, as freedom of our press. When I say this, I recall the US laws and Civil Code. In that Code, desecration of the American flag and the stifling of freedom of speech are punished under the same article. Our country also made a decision on the state flag on 9 November 1918 and at the same time, abolished censorship of the press.

During the 23-month life of the People's Republic, about 60 newspapers and magazines were published in Azerbaijan. This was a true indicator and showed that there was a real democratic atmosphere in the Azerbaijan Democratic Republic. I have carried out research and I can say in all honesty that these newspapers did not repeat each other. I look at our current newspapers and they all take the same things from the Internet. That's why they are very tedious.

I teach at the faculty of journalism. I first tell my students that they have to investigate facts. I can write 10 different articles about one event, but note that one small piece of information about this event will be posted on the Internet and all the papers



will publish it in the same form. The beauty of this event will not be felt. But being a journalist is when you analyze and write an article that seems interesting in your newspaper. This requires hard work and talent. This is what our modern press lacks today.

I am going back to the republican period. Diversity truly existed in the press of the republican period because genius personalities like Uzeyir Hajibayov, Jeyhun Hajibayli, Mammad Amin Rasulzada and others worked in the press of that period.

Finally, I would like to highlight one more point - a law on the press was adopted in October 1919. This law was called "The Press Statute". With the adoption of this law, the People's Republic supported the press once again. An ordinary citizen could submit the necessary papers and easily open a newspaper or a magazine. Even the Bolsheviks who opposed the People's Republic at the time published their own newspapers. I could go into more details, but I know that our time is limited. If necessary, I will elaborate my thoughts during our discussions. I would like to note again that there are different stages in the establishment and formation of the Azerbaijani press, and it is possible to assess the Azerbaijani press after evaluating each of these stages. Thank you all for listening to my report. If you have any questions, please go ahead. Thank you.

**Leyla Aliyeva:**

- Thank you. Now we can move onto questions. There will be reports and discussion later.

**Participant:**

- Nasiman spoke about the history of the Azerbaijani press, but today's situation, I would say, is more deplorable. There was

a time when there was progress in our press. I remember that when we got one copy of "Azadliq" newspaper in the 1990's, we read every last line and received real information. But in the current period, information is published to order. Everyone publishes information the way they want to see it and the way it suits them. This is not information. There was a time when newspaper journalists visited the provinces and districts and gathered facts, or we ourselves called them and our information was published in the papers. But now it is very difficult to give information to the papers. The papers should throw their weight behind the provinces and districts. It is clear that most of the press is in the hands of the authorities today. The people cannot have their say. They are not allowed to hold rallies, or even to hold a normal meeting. At least we can say something to some newspapers. But they have become extremely poor. They are gradually being oppressed. I am not talking about government newspapers. Why don't independent newspapers investigate and report local problems and arbitrariness? If this does not happen, then the situation with the press will be really difficult.

**Leyla Aliyeva:**

- Thank you. We will discuss these problems in more detail.

**Participant:**

- I would like to express my attitude to what Nasiman has said about Azerbaijani intellectuals of the early 20th century and Tagiyev's attitude to them. If there were five intellectuals in Azerbaijan at the time, all five strove for the wellbeing of the Azerbaijani people. For this reason, Tagiyev spared no efforts to help them. Today there are too many people who write books

and purport to be intellectuals, but there is nothing inside these books. But posing as intellectuals, they have taken so much money from entrepreneurs for pointless businesses that they now prefer to keep away from such businesses. Such people make it impossible for real intellectuals and historical researchers to get aid from wealthy people. We ourselves have created this situation. Society has become addicted to publishing books blindfold. If at the beginning of the 20th century, all five intellectuals strove for the progress of the nation, today it would be a big deal if two of those five loved their nation. And those two are burning like a withered tree.

**Participant:**

- M. F. Akhundov sent a very interesting letter to Zardabi about the publication of the "Akinchi" newspaper. "Your mission will be accomplished when our people are able to read and write like Prussian herders, that's to say your newspaper will have even more readers than. Society will also develop from a cultural point of view." In Shirvan, I have witnessed a bizarre thing. They put a big portrait of Heydar Aliyev and wrote underneath - "the founder of the Azerbaijan Democratic Republic". I first thought that there was something wrong with my eyesight. I rubbed my eyes and looked again. But I saw the same inscription, and in the most visible part of the city. I thought that Heydar Aliyev had not even been born when the Azerbaijan Democratic Republic was established. There are such cases of illiteracy here today. I tend to be more critical of things, I have repeatedly written critical articles and I have been harassed for that. They cut off my water, power and gas. They chose such methods to shut me up.

**Participant:**

- I would like to say one thing. Sometimes 10 people read one newspaper because the population's material situation is difficult and they have no money to buy newspapers.

**Leyla Aliyeva:**

- You said that no-one is buying newspapers. How about the Internet then?

**Participant:**

- The Internet is absolutely inaccessible.

**Leyla Aliyeva:**

- There is no Internet at all?

**Participant:**

- There is, but it is only possible to pay 60 qapiks and read several newspapers in the space of an hour at an Internet club. But it is not possible to pay 40 qapiks for each newspaper and buy four or five newspapers. I pay 60 qapiks, spend one hour on the Internet and read several newspapers. But I don't have one manat and 60 qapiks to buy more four newspapers.

**Leyla Aliyeva:**

- You mean the Internet is better?

**Participant:**

- Yes, the Internet is better. You know, everyone has a lot of problems today. For this reason, no-one wants to waste their time by spending hours on the Internet just obtaining informa-

tion. So on the other hand newspaper is more convenient, because you can buy a newspaper and read it in your spare time.

**Leyla Aliyeva:**

- Now if you have no more questions or comments, let's move onto the second stage. I would like to give the floor to Alibay Zeynalov.

**Alibay Zeynalov:**

- It is very difficult for me to speak after Nasiman. I will try to express my views about the problems of the local press. Nasiman gave us very interesting information about the press in the republican period. I would like to thank him. Most of you know me, and for those of you who don't know me, I am the chief of the Mil-Mughan bureau of APA news agency. I have been working there for three years and I am aware of the problems of the local press. I have a lot of information about this sphere. I want to tell you that one state-owned newspaper is currently published in the city of Shirvan and in Salyan and Sabirabad districts as well. These newspapers have been founded by the executive authorities. These newspapers publish mainly official information. The "Ishiq" newspaper is published in Shirvan, "Hajiqabul" in Hajiqabul, "Suqovushan" in Sabirabad and "Qalaba" in Salyan. In Soviet times, these newspapers were published daily. I regret to say that now these newspapers see the light of day only twice a month and, if I am not mistaken, each of them has four pages.

For me personally, these official newspapers look like a bulletin. Their staff is very limited. I cannot say anything about the professionalism of their staff. I don't want to hurt them, but I



don't believe that any of them will independently write an article. Official newspapers write mainly about officials and praise them. Journalism is not just about praise. The main task of journalism is to serve the development of society and democracy.

Unfortunately, our national press is not experiencing its best days at the moment. The numerous problems that are typical of the Azerbaijani press are also present in the provinces. For example, there are almost no independent newspapers in our region. It is true that Umid Huseyn, who is here today, recently opened a newspaper. But he has published only one edition so far, if I am not mistaken. There used to be a pro-opposition newspaper called "Qirkhchiraq" in Shirvan. It ceased publication three years ago.

I want to touch on the problem of racketeer journalism as well. Thank God, newspapers are easily registered by the Ministry of Justice today. They get a stamp and use that stamp to distribute their ID cards. The journalists who get their IDs visit different places and use blackmail and different ways to get money out of officials. It is very difficult to remain honest inside such a racketeer-style of journalism. As soon as you knock on the door of an official to get some information, he first sees you as a racketeer. And you have to apologize by saying that you have come there only to get information and that you have no other goals.

Nasiman just said that every article should be based on facts. Our agency has a principle according to which if there are two sides, the report should definitely reflect the views of both sides. I don't want to talk much about racketeer journalism. I will cite only one example. Some journalists tell people - I can get your child out of prison and get the amnesty commission to examine

your child's case. There used to be a newspaper called "Azad Press" here. Now the police are investigating its case. A correspondent of the newspaper took 3,500 manats from a woman, promising to get her son amnestied.

Things have reached such a point that even taxi drivers are trying to get press cards. When you ask what they need it for, they say they need it to show to the traffic police.

I want to talk about problems with the publication of newspapers in the districts. One of the problems is that newspapers published in the districts are printed in Baku, which requires additional funding. Provincial newspapers have almost no readership. People working at departments and enterprises are forced to subscribe to these newspapers in a mandatory way. I don't want to offend the correspondents of "Hajiqabul" and "Ishiq" newspapers who are present here, but I have not seen them in kiosks. I must confess that even if we published a newspaper that really talked about problems and was full of criticism, it would be difficult for it to find its readership in the district.

On the other hand, there should be an advertising base to develop the provincial press. Who will publish advertisements in local newspapers? Big companies will not do so, of course! Local entrepreneurs are not interested in that either. Thus, the local press has no readership and advertising base.

Another problem is about people engaged in real journalism. Their main difficulty is obtaining information. This right has been endorsed by Azerbaijani legislation, and journalists have the right to access information. But in practice, very often this law does not work and it is difficult to get information even from lowly officials. The official either says he has to get permission from his boss or sends the journalist to the ministry's press office.

In this case, how should things work here? By this logic, we should appeal to the presidential administration in order to get information about the executive authorities. Such difficulties exist in terms of accessing information. I'll cite an example from my own experience. Based on complaints from citizens, I appealed to the director of the Shirvan gas department. I just wanted to get some information about those citizens' debts in order to reflect both sides' views in my report. But the director of the gas department started blackmailing me, saying that I had insulted him, and reported me to the prosecutor's office. After our agency intervened, his accusations turned against him. Newspapers published reports about this, and the committee to protect reporters was forced to intervene. In the end, a representative of the executive authorities asked me to forgive the director of that department. There are such problems here. Of course, other officials do not want to give information to independent press outlets either. They are guided by the principle "don't put a bandage on your head, if you don't have a headache".

Despite all these problems, if we want to establish a democratic civil society, we should develop the local press. That's to say newspapers should be run by high-level professional journalists, although it is difficult to differentiate between a professional and an unprofessional journalist. I would like to cite an example. There is a well-known German company that has a monopoly on the world diamond market. If diamonds are extracted in a country, this country must establish partnership with that company. Otherwise, that company will punish the country by filling the market with fake diamonds.

This comparison may not be relevant. But I always think that there are no problems with the registration of the press at a

time when NGO's and other organizations have difficulty registering in a country. If I am not mistaken, more than 3,000 newspapers have been registered in Azerbaijan. There are so many lies in the papers today that it is impossible to distinguish the truth from the lies. It is impossible to differentiate between a pure and fake diamond. Society is somewhat confused about the papers. I think that our civil society and representatives of NGO's should prepare projects and take measures to solve these problems of journalism together with the state.

There are disagreements regarding the Press Fund in Baku over who will get money. But no-one is thinking about the provincial press. Everyone is trying to solve their personal problems, not the problems of the press. My observations do not show this. I think that the state should prepare a special programme to develop the provincial press, to nurture professional journalists and stimulate young journalists. It is necessary to nurture a new young generation of journalists. I do not mean to offend anyone, but older people cannot escape their Soviet psychology. I don't know whether it is enough or not, but this is what I can say about provincial problems. I think we can discuss problems with the participation of the journalists who are here.

**Participant:**

- I would like to add a couple of words to what Alibay said. I agree with his view that there is no criticism in the local press. For example, the "Ishiq" newspaper is published in our region. Not a single edition of "Ishiq" has ever been critical. There is no such thing.

For example, when you turn on the tap here, the water that flows is either brown or white. We settle that water at home



using primitive methods. Personally, I have cut a Fanta bottle, put a piece of cotton into it and used it to filter the water. The country's press has repeatedly written about this. Personally I have written to two or three national newspapers about this. What did I get out of this? Everyone cast evil looks at me and I was also put under pressure. They cut off my power and water.

We spoke about racketeer newspapers. To be honest, I don't know who used this word first. We all repeat it. Personally, I am against this word.

Things have reached such a point that a list of racketeer newspapers has been put up at State Traffic Police posts. Who gave it to them? Did the Media Council give it to them? State Traffic Police employees themselves are engaged in racketeering. A boy installs a radar device here and his father is sitting in his car at a traffic police post further up the road. As soon as a car passes, he intercepts it and phones his father telling him to stop it. And his father gets money through racketeering.

Whenever you visit a department, they immediately ask you what paper you are from. Then they say - wait, I'll check if your name is on the list of racketeer newspapers. This is the case even at the executive authorities. How can papers be racketeers?

### **Participant:**

- What I am saying is why don't they call the police racketeers? Why don't they talk about racketeer traffic police? Why don't they talk about racketeer prosecutors? But they talk about racketeer journalists. In my opinion, there are professional and unprofessional newspapers. If a journalist writes a critical article about a corrupt official, why is that racketeering?

**Shahvalad Chobanoglu:**

- Where does this come from? Who does a racketeer extort money from? Why can a racketeer extort money? The thing is that we live in a corrupt society and corrupt people have a lot of things which should be exposed and which they want to hide. They pay money to ensure that these facts are not reported. The attitude of our Media Council is that racketeer journalism should be exposed and neutralized. But it is impossible to resolve this problem without eradicating corruption in society, because corrupt officials are the biggest racketeers themselves. Racketeer journalists do not write anything. Do you know what they are like? Their demand to officials is that you are making a lot of money then you should give me some money as well. Their logic is that if you can take money home, why shouldn't I do the same? Our office was once visited by a racketeer journalist. He openly said: "Yes, I am a racketeer, his children are eating meat, and why shouldn't my children eat meat?" This is a fight for corrupt money. In fact, this is not a problem of journalism.

You know, officials are often blackmailed not by racketeer journalists, but by absolutely different people and even their own relatives. One MP had such a problem recently. That's to say, it is a form of classical blackmail. The false press, or as you said, fake diamonds are being used as a tool here. Thank you.

**Participant:**

- With your permission, I would like to say a couple of words. If representatives of the newspapers published in Azerbaijan were here, we could ask them. Of course, I am not talking about government newspapers, because what they say on television and what they publish in the papers is the same. I am talking

about "Azadliq" and other opposition newspapers here. A short while ago, Nasiman said something interesting.

There were the newspapers "Gundalik Azerbaijan" and "Realny Azerbaijan" in Azerbaijan. I don't mean to offend anyone, but they were very good newspapers. May God open the doors of the editor-in-chief of that newspaper (several people from the audience agree with this). It is not that we are not talking about it because we can't. The thing is that there is no point in reading today's newspapers. Radio Liberty had a radio station, and they closed it. As a citizen, they tied my hands and arms. Now I have to spend 500-600 manats to buy a computer, connect it to the Internet and get information.

Television has turned into a show. It is the same with local newspapers. I don't think that anyone will dare to open a newspaper in Shirvan. For example, I opened a newspaper with my own salary. If people like Eynulla Fatullayev and Qanimat Zahid are in prison today, then who am I? I used to buy the "Monitor" magazine. It was a magazine with a small circulation. Maybe the Ministry of National Security knew who was buying that magazine.

There are more than 3,000 peoples in the world. But there are only 200 states. One of them is Azerbaijan. When the Azerbaijani state was established in 1918, where were its founders? Those people came from the papers. Those newspapers do not exist today. There are no analytical newspapers or journalists today. The state brands a journalist and sends him to France. The people cannot defend their journalists today.

Take Russia. Putin officially said that no newspapers or magazines should publish any information about the crisis. Thank God, our government did not ban this. Today we should not tackle political problems, we should deal with social problems.



Why should I write to the Milli Majlis today to say that my roof is leaking? I should ask a newspaper to report this. Why can Shahvalad express his ideas as a citizen and as a journalist, but we can't? Because the door is closed. "Azadliq" and "Yeni Musavat" are well-known publications. I cannot read them today, because these papers prefer rumours now. There is no analysis. How long will this continue - someone made so much money and someone did this or that?

**Participant:**

- I was investigating the results of a "Mantoux test" on children who might be affected by tuberculosis in Shirvan. It became known that there were 1,203 children who might be affected by tuberculosis in forms 1-8. I was summoned to the executive authorities. The deputy head of the executive authorities for humanitarian affairs phoned Aflatun Amashov in my presence and said that there is a journalist who has come here to extort money from us. Then I spoke to Aflatun Amashov by telephone. I told him that I was not demanding money and that I wanted measures to be taken in connection with the situation.

But instead of taking measures, they summoned the doctor and those who had given me information to the executive authorities and reprimanded them for disseminating official information. Because of one article, these 1,203 children were examined again. Those 1,203 children were given medicine. Four children who were infected with active tuberculosis were denied a school-leaving certificate. Representatives of the ministry arrived and gave them certificates. Medical centres were refurbished in all secondary schools and nurses were appointed. An extensive meeting on the exploitation of children was held at

school No 18. Children being exploited were identified. That's to say, we carried out investigations, but the Media Council is creating additional problems rather than helping us.

**Shahvalad Chobanoglu:**

- Today the state should stay out of journalism. Journalism does not survive with state money anywhere in the world, because journalism is a type of free enterprise. Is there no journalism in the regions? According to world experience, newspapers first develop in the capital and then start publishing their regional weeklies. Then they become dailies. In our country, the press cannot become a business sector because conditions are not right for this, in the capital and in regions. If newspapers are dying in the capital, it is naturally difficult to maintain these newspapers in the regions.

Newspapers published by the state should contain no criticism. No-one should expect "Ishiq" to be critical. A person who wants to develop the press should do his best to keep the state away from it. Personally, I am against state funds to help the press. If there is a normal business environment in the country, I can revive my paper myself. Three or four times, my newspaper was closed as it became rich. For example, at "Gundalik Azerbaijan", we were planning to open regional bureaus. But they closed us down.

**Leyla Aliyeva:**

- I think Nasiman Yaqublu touched on this issue. He said that in the early 20th century, it was not the state, but private individuals who rendered financial aid to the papers and boosted the development of the press. I think this is what should be happening now.

**Shahvalad Chobanoglu:**

- In Soviet times, the press was affiliated to the state. This is a different kind of journalism. We rejected that journalism and, of course, we chose a new kind of journalism. This is journalism based on the principles of freedom. There are three principles here: first, not to tell lies, and second, to have a purpose. That's to say when you tell the truth, you do not set yourself any goal. When criticizing the executive authorities, you are not thinking about who will be appointed in his stead. Third, not to criticize the government in times of war. In other periods, any type of criticism is acceptable.

Imagine that in its laws, the European Court has already set a precedent for journalism. It has started to value journalists' rights and freedoms. What is this? This is not a special privilege given to journalists, it is the path for a developing society. In Europe, the press covers the personal lives of officials because the public should believe that those who run them are honest and should know what they are doing. If Europe was on the wrong track, we would not envy them. Why is the West going that way? Because that path is beneficial. They say that journalism defends freedom. From this point of view, this is the journalism that we have chosen.

**Leyla Aliyeva:**

- I would like to give the floor to Shahvalad Chobanoglu.

**Shahvalad Chobanoglu:**

- I would like to thank you. Even though we work in the capital, we are well aware of the situation in the Azerbaijani provinces. It is very difficult for political parties, non-govern-

ment organizations and newspapers to work here. In general, it is far more difficult to speak out and fight in the province than in Baku. For this reason, journalists and opposition members serve the same goal in the provinces. They all want Azerbaijan to be democratized. They are striving to ensure that we live in a normal society. Those people are in a more difficult situation than those in the capital. For this reason, they should always be thanked. I have always written about provincial reporters, opposition members and protesters in my newspaper.

I have to speak about our modern journalism, although I have not made a particular study of modern journalism. Despite that, I would like to share my thoughts with you. This can be perceived as being subjective, because I live inside this journalism and I analyze it from inside.

In order to analyze the activities of our new journalism and its 20-year struggle, it is necessary to find a way out and a beginning. Let's touch upon the following issue. We left Baku this morning and will return to Baku in an hour's time. Of course, this was made possible by the car. We covered this long distance by car very easily. Imagine that you could have an accident or commit a crime with the same car. However, no-one speaks out against the car, although you receive lots of information every day about human losses in traffic accidents. A medicine needed for one's health can kill as well. But again, no-one is demanding that that medicine be banned.

But in Azerbaijani society, people still openly speak out against the press. The Azerbaijani state is still engaged in restricting the right that our national journalism gained before.

What is the defamation law for? What is its benefit to our society? Why is no-one speaking out against cars or medicines that

can kill people? Why are they speaking out against journalism? Our 20-year struggle was only to ensure that Azerbaijani journalism proved its importance like the car and gained status in society. Unfortunately, we have not been able to gain this status yet.

How come that our laws on cars are better than our laws on journalism? This is the root of the problem. We do not want to accept the rules and laws accepted by developed societies, but we accept the ideas of people who are fighting this. Neither racketeer journalism nor abuse of office by journalists can serve as grounds for preventing freedom of speech, because restrictions on freedom of speech are not linked to the profession of journalists, they are a reflection of attempts to restrict the possibilities of society. For some reason, Azerbaijani society is still dominated by the idea that it is a problem which is linked only to the journalists' profession.

We have been educated as journalists and we can deal directly with this business. For example, we can also be officials and politicians and we can work in the NGO sector. But is this profession for us? I am not writing these articles for myself. My latest study is related to petrol. I have no special problem with petrol to study it. I did this for the sake of transparency and clarity. The problem of journalism in the modern period is that they are slipping fake diamonds to society, as my friend just said, in order to prevent such studies. They have created racketeer journalism artificially.

If we take a chronological approach to new journalism, we should note that this journalism was created in Soviet times. Why do I want to mention those years? Because the Soviet Union was breaking up in that period. The appearance of new newspapers during perestroika accelerated the breakup of the



Soviet Union. You witnessed those developments. You remember what a big role the press at that time played in the life of society. Samizdat (self-published) newspapers quickly spread among the people. The role of the press was being shaped in those years. However, given the course of political developments in Azerbaijan, new journalism reached its current difficult situation over the course of time.

New journalism was not just the establishment of new newspapers. It was a renewal of news, reports, or say, styles and laws. In principle, this was the establishment of new journalism. Instead of newspapers that followed instructions from the party and Soviet authorities, a journalism appeared that was based on the values of freedom in the economy. It reported real problems, pursued no goals and sided with no-one.

There is the word "expose" (ifsha) in our society and in Arabic, it means "open". One of the most important tasks of Azerbaijani journalism is to expose - to open. We should not expose anyone in order to blackmail them or extort money from them. We should do it for the sake of transparency and clarity in society. What has happened here? Heydar Aliyev, who came to power after the government established as a result of the popular movement was overthrown, started speaking to the press in a new language. That's to say, the press was of no benefit to this government, because the press openly showed the actions and deeds of the government to society.

In Azerbaijan, the policies of public officials and the head of state were exposed, because their secret deeds could not be accepted by the people. This is why attacks began on the Azerbaijani press. The pressure on the new journalism which was founded 20 years ago originated from this. This pressure

still continues today. If there is pressure and if a journalist is jailed or killed, this means that new journalism still exists.

However, when we analyze the current situation, we can see that Azerbaijani journalism is about to disappear. You asked a very good question - where is Azerbaijani journalism going? Nasiman said just now that as the Armenian question is on the agenda in our society, the Armenians started this before us, and it is true. Such is the truth, and we need to think about the truth. But we are also thinking about the future - where will the Armenians be tomorrow and where will we be? Who will win the future - the Armenians or us? What should we do to ensure that Azerbaijan is ahead of Armenia tomorrow? How can we ensure this?

This is no secret path. You know very well that as long as there is no democratic society, there will be no development in Azerbaijan no matter how much money it has. Your water will remain filthy. No matter how much oil money there is, it will not change our lives, we will continue looking for jobs and buying our legal rights using this money. They will oppress us again and the police will treat us rudely again. In order to prevent this, we should bring European values to Azerbaijan. From this point of view, the enemies of democracy are the enemies of Azerbaijan.

Sometimes they say that if the European model comes to Azerbaijan, we will lose our mentality. However, this is a completely erroneous. On the contrary, our rights which are reflected in our mentality and folklore will be guaranteed only in such case. If we have a free press based on liberal values, racketeer journalism will disappear. In other words, we have started experiencing the pain of establishing a democratic society in the press.

What is the current state of the press? You know that critical journalism has only four or five newspapers left in Baku. The

remaining newspapers provide partially critical information and imitate independence or are working for the government in one way or another. This means that we have been deprived of journalism. This means that we cannot access information. If we cannot access information, this means we are unaware of what is going on in society. For example, people do not know that the Armenians are buying one tonne of Azerbaijani petrol sold to Georgia for 342 dollars. In our own country, one tonne of petrol costs 780 manats, which is about 900 dollars.

I mean that as we are losing the political struggle in the painful process of democracy and the press starts losing as well. It is not only us, but also officials who have become rich today and regard themselves as happy who are in the grip of this problem because they are stuck in a quagmire. Anything built on a quagmire, whether it is a palace or a hut, will collapse sooner or later. Someone loses their son to drug addiction, someone to AIDS, while someone else's son has a different fate.

The main cause of these problems in Azerbaijan is the lack of democracy. The problems of Azerbaijani society originate from this. We have to say openly that today's situation is really bad. Today the biggest newspaper "Yeni Musavat" has a print-run of only 10,000. The print-run of "Azadliq" is about 7,000 and that of "Bizim Yol" is only 3,000. These newspapers are published in the capital, whereas we have calculated that even in the current conditions of poverty, the print-run of Azerbaijani newspapers should be at least 70,000. This is proved by the monitoring that was conducted.

Such a situation has been caused only by pressure, artificial obstacles, refusal to provide information and the discrediting of journalism. They are deliberately creating an atmosphere in



society to say that these people cannot achieve anything and that intellectuals are good for nothing. We are not denying that there are negative aspects. But at the same time, all the people and journalism cannot be disparaged in this way. Those who pursue this policy of disparagement are enemies of those who want to establish an open and democratic society and a free press. In fact, they are all enemies of Azerbaijan.

The nationality of those who deal a blow to Azerbaijan does not matter. Does it matter if they live in Armenia, in Baku or in Shirvan?

The problems of Azerbaijani journalism are extensive. Let's detail one of them. I will try not to dwell on statistics, although we have extensive statistical information and I will use it when it is relevant. First of all, I would like to touch upon the economic situation of the press, because a press outlet which does not have an appropriate economic base is doomed to failure. For this reason, in order to stifle the free press, the government is trying to destroy its economic base, because the arrest or murder of a journalist disliked by the authorities causes a great outcry in the international arena. It is easier to neutralize the press by economic means.

The primary method of destroying the economic base of the press is the population's poverty. As you said above, you have no money to buy newspapers. The second method is the destruction of the advertising market which forms the basis of all newspapers throughout the world. There is no advertising market in Azerbaijan at all, because liberal economic relations and advertising agencies do not exist in the country. The economy is totally controlled by the government. Even companies from democratic countries working in Azerbaijan do not place adverts in independent newspapers.

A question arises - why does "525-ci Qazet", which cannot sell even 2,000 copies per day, get advertisements, while "Realny Azerbaijan", which was published with a print-run of 30,000, did not get advertisements? Imagine that "525-ci Qazet" cannot sell in one month as many newspapers as we sold in one day. All this is based on statistics. But no-one is placing adverts in our newspaper because there is a political situation and those who place adverts are afraid of the government and because the government is trying to stifle the press in this way.

Let me cite another example. In the Azerbaijani press, Aflatun Amashov and journalistic organizations should be dealing with the broadcast sector. But they do not see problems in the broadcast sector. I have brought a table for you. This table shows the number of people per kiosk in various countries. For example, in Russia there are 3,000 people per kiosk. In normal countries, this figure is no more than 2,000. According to the standards of international organizations engaged in this sphere, if the number of people per kiosk exceeds 2,000 in a country, then it has a problem of newspaper famine, because no-one will travel to another city to buy a newspaper. Some people do not even want to go to the next street.

Now imagine that Azerbaijan has regions and villages where you need to travel several kilometres to buy a newspaper. This problem exists in Baku as well because there is one kiosk per 11,000 people in Azerbaijan. Azerbaijan is consciously creating obstacles to the expansion of a chain of newspaper kiosks and bookshops.

There are several reasons for this. The first one is to prevent the population from buying newspapers, getting information and knowing the truth. The second one is to stifle the newspapers



that tell the truth. If there is no advertising market, the only source of income for papers lies in sales. If there is no such source, then we should ask the authorities for help. In other words, we should sell ourselves to the authorities.

Now we should try to retain at least the journalists and writers who have not sold themselves. Imagine that new people are not coming to journalism. That's to say, we cannot take someone by the hand and bring them to journalism, because young people today do not want to live our lives. They do not want someone to call and scold them, to threaten them, to jail them like Eynulla Fatullayev or to kill them like Elmar. This is what Azerbaijani journalism has achieved in 20 years. In fact, this is the tragedy not only of journalism, but of Azerbaijani society as a whole.

A referendum was held recently and amendments to the constitution were adopted. You know, no country in the world has the word "photo camera" in its constitution. We are specially investigating this. In Azerbaijan, they included the word "photo camera" in the constitution so that no-one can take someone else's picture. They should definitely ask that person for permission. There are very far-sighted reasons behind this. Whose picture do you have to take in order to have interesting information to reveal? Of course, pictures of top officials. Such a bizarre article was included in the constitution to prevent this. Unfortunately, this issue remained in the shadow against the backdrop of other important changes to the constitution and was not properly appreciated by our public.

I can cite examples for you. You have probably heard that the "Azadliq" newspaper correspondent Aqil Khalil was beaten up. He is in France now. Do you know why we displayed persistence then? Why did they want to kill Aqil? Because there was a video-

recording of this assault. This video was made by a schoolchild who was passing by and he gave it to journalists. Most of you are probably aware that a video-recording of soldiers being beaten up was posted on the Internet, including on the website of Radio Liberty. In order to prevent this, the government hurried to ban photography and video-recordings out of fear.

The Internet is such a global network that there is complete independence there. In order to publish information in a newspaper, you need to get the consent of its editorial staff. But on the Internet it is easier. Anyone can set up a blog on the Internet and disseminate information in this way. All this really worries the Azerbaijani government. And it is taking preventive measures against this. Such pressure leads to a total suppression of critical journalism in Azerbaijan, to the annihilation of regional journalism and to the economic impoverishment of real journalism.

There is a very important question facing us. What will the future be like? Will we really return to Soviet journalism? Quite honestly, if there is no democratization or revival in Azerbaijani society and if the Azerbaijani authorities do not retreat, the situation of the press will be difficult. I used to be an ordinary journalist. And suddenly I realized that I was too far ahead and there was no-one around because most people could not withstand the pressure and quit journalism. Many of them did not want to sell their pens and left the country. They were not followed by a new generation. At such times of hardship, it is really difficult to answer such a question.

I think we have several problems. But the main task is to restore the legal status of Azerbaijani journalism. The latest amendments to the law "On the mass media" were approved by presidential decree. According to the decree, it is much easier to

suspend the operation of a newspaper for two months. It is now possible to suspend the mass media at the request of the Ministry of Justice and the Media Council. How can you restore the print-run of a newspaper suspended for two months? Where should journalists get money from during these two months? There are big media magnates all over the world who can maintain various newspapers using their own money. For example, the suspension of the "Star" newspaper or Star TV is not a very big problem for them. Although they incur great losses, they can resume their activities. But Azerbaijani newspapers are not ready for this.

We are talking about what the Azerbaijani state should do for the press. I must say again that the state has only one purpose - not to touch the Azerbaijani press but to protect it. The state must protect Azerbaijani journalism as it must protect an Azerbaijani citizen. If this does not happen, the state of the Azerbaijani press will be very difficult. I even expect that critical journalism will soon run out of opportunities to publish articles and will have to move to the Internet.

It is not only the job of journalists to save Azerbaijani journalism. This is not an issue that depends only on journalists. You can take umbrage at journalists. If necessary, you can criticize. But you should know that this process is not in our hands. In this case, we need your support as well. Even if you pay 40 qapiks from your scanty budget for one newspaper, this is very helpful to us. Free information from a region is also a kind of support, although information should be paid in normal journalism.

I am not saying this in order to make you all pessimistic. I just think that it is necessary to assess reality correctly in order to find a way out of the current difficult situation.

I should mention one more issue. Azerbaijani journalism is receiving support and grants from abroad. I very much regret that the millions coming into Azerbaijani journalism are being misspent. That money is subjected to corruption. Various people and journalistic organizations are spending that money on ineffective projects that are far removed from journalism, although they seek that money with good intentions.

Azerbaijani journalism has been backed into a tight corner, although compared with the beginning of the century we have achieved much of which we can be proud. We have gone through a really hard and difficult struggle.

In all cases, we hope that developments in the regions and the emotions of the Azerbaijani people will cause some liveliness here, and we will have a chance to save society in some way. We will return to an unbiased path in journalism of which we spoke. Thank you.

**REFORMS IN AZERBAIJANI  
AGRICULTURE IN PRE -  
AND POST-SOVIET ERA**

**The city of Quba  
21 February 2009**

**Aydin Balayev:**

- Dear participants, first of all, allow me to welcome you here. I would like to inform you that the Centre for National and International Studies is holding a series of conferences in various parts of Azerbaijan devoted to the 90th anniversary of the People's Republic. Today's conference in Quba is dedicated to the subject of agriculture. We will hear reports on the history and current state of this problem and then discuss the reports we hear. With your permission, I would like to give the floor to the historian Haji Hasanov.

**Haji Hasanov:**

- Agriculture occupied a dominant place in Azerbaijan's economy up to the end of the 19th century. But from the end of the 19th century onwards, serious qualitative changes took place in Azerbaijani agriculture. The point is that after the Romanov dynasty occupied Northern Azerbaijan in the first quarter of the 19th century, they believed that their main task was to make a profit here. And of course, agriculture was to be the main source of this profit. But the trouble was that Azerbaijani agriculture, by its very nature, was an Eastern economy. Since the Romanov dynasty was unaware of the particular features of an Eastern economy, they also did not understand how to make a profit from such an economy. The Russian Empire was trying to make as much profit as possible from Azerbaijani villages, and since they did not know how to make this profit, they did not want to give up ownership of the land, which was the main source of income in Azerbaijani villages. Therefore, for many years the tsarist government could not clarify the main principles of its policy in agriculture.

In the 1820's and 1830's, that's to say during and immediately after the occupation of the country, the main task of the tsarist government was to clarify the list of sources of income. To this end, several inspections were carried out and the number of villagers was checked... and they were terrified by the situation because they found out that between a quarter and a third of the population of Azerbaijani Muslim villages were exempt from taxation and the wealthy part of the villages paid the taxes for them. Since to Christian Russia this appeared to be a nonsense, they tried to eliminate this situation. First of all, they tried to increase the revenues of their treasury by seizing the lands of various privileged people who participated in the fight against tsarism and expand treasury lands at their expense. Since this yielded no results, finally in the early 1840's, or to be more precise on 25 April and 28 May 1841, when the seizure of the titular lands of the bays of the Caspian region and the lords of the Gazakh and Shamshaddil areas yielded no result, the tsarist government was forced to recognize the title-holders' ownership of their lands on 6 December 1846. On 20 April and 28 December 1847, special statutes were adopted to regulate relations between title-holders and villagers working on these lands. However, these statutes and the 14 May 1870 village statute, which according to our historical literature is a great land reform, did not and could not bring about great changes in the rules for land use in Azerbaijani villages, because most of the land in Northern Azerbaijan was in the hands of the treasury. The legislative acts that I mentioned were aimed, above all, at regulating relations between villagers living on private land and the owners of this land.

If we view things in relative terms, studies by A. Sumbatza-da, M. Ismayilov and others show that at the end of the 19th



century, about 69-71 per cent of the population of Azerbaijani villages lived on treasury lands and only 29-31 per cent on privately-owned land. Therefore, these statutes, which only regulated relations between private land owners and villagers living on their land, could not bring about serious changes in villages. Furthermore, these laws could not change the economic life of villages because the mechanism for enforcing them was quite complex and did not enjoy state support.

Let's cite the following example. As you know, the system of serfdom was abolished in Russia on 19 February 1861, and the permission given to villagers living on their landlord's land to buy their plots of land and become owners of them played an important role for the government in enforcing the law. In other words, the landlord was paid for that land from the treasury and the villagers returned that money to the state with long-term interest.

Although privately-owned villagers of Northern Azerbaijan were granted the right to become owners of their own plots of land on 14 May 1870, they received no state financial aid. From this point of view, it is no coincidence that since no financial opportunities were made available to exercise the right envisaged in the 14 May 1870 statute, which could have drastically changed economic life in the villages of Northern Azerbaijan, this right remained purely on paper. In fact, the 14 May 1870 statute was not implemented in Northern Azerbaijan villages. For example, in the 40 years following the adoption of that law, according to optimal estimates villagers only managed to buy 10,000-12,000 dessiatinas of land. For the sake of comparison it must be said that, according to calculations, 200,000 to 400,000 dessiatinas of land were eligible for purchase. For this reason, the tsarist government was forced to adopt a new law on the



use of land by Northern Azerbaijan villagers on 20 December 1912. According to that law, from 1 January 1913 all the villagers living in private villages in Northern Azerbaijan became owners of their plots of land. Simply, the state decided to pay the money to land owners. In other words, the reform that was carried out in Russia in 1861 was enforced in Northern Azerbaijan only in 1912. But this reform applied only to private villagers living on their landlords' property, while most Azerbaijani villagers lived on treasury lands. The treasury villagers, whom we call state-owned villagers, comprised most of the village population in Northern Azerbaijan. The state had no intention of giving up its right to collect taxes in these villages or to hand over ownership of the land to someone else.

For this reason, the reforms were delayed in treasury villages and only after the tax reforms of 1899, that's to say after the introduction of the state land quit-rent instead of the per household tax on treasury villagers and the introduction of these two taxes instead of the state land tax on private villagers, did the tsarist government carry out a reform called "The land structure of treasury villagers living on state-owned land in the South Caucasus region" on 1 May 1900. However, despite the fuss that the government made about this reform, its real importance was not all that great because that reform did not give villagers ownership of the land; it only gave the village communities the right to use this land permanently. You know, as long as a villager does not own the land and as long as he cannot use the land as he wants, that land can never be productive. At the very least, it will be much less productive than that of privately-owned land. For this reason, the special instruction adopted on 21 April 1903 in order to implement the 1 May 1900 law and other laws did

not bring about serious changes in treasury villages. And the situation that had existed in Azerbaijan's state-owned villages remained unchanged.

One of the most important qualitative changes that happened in the agriculture of Northern Azerbaijan in the late 19th and early 20th centuries was that marketable production in agriculture increased during that period, different spheres of agriculture established closer links with the market and commercial farming and commodity farming became the most important spheres of activity. The reason is that starting from the 1870's, a great industrial centre began to take shape in the northern part of Azerbaijan, especially in the Absheron-Baku area. The formation of this industrial centre and the growth in the urban population increased demand for agricultural produce. As a result, sectors directly related to the market and aimed at meeting the demand of this urban population emerged in agriculture. Along with that, due to the drastic changes taking place in the macroeconomic environment of the world from the middle of the 19th century onwards following the 1861-1865 civil war in the USA and resulting from the fact that US sources of cotton were no longer available to Russia, there was a greater need for the cultivation of technical plants in Northern Azerbaijan as in other remote colonies of the Russian Empire. If up to the 1860's the Russian textile industry imported cotton from the USA, after the US civil war Russian industrialists were forced to focus their attention on remote parts of the empire where climatic conditions were favourable to the development of cotton-growing. Among these remote parts of the empire, Northern Azerbaijan was one of the most important. It must be acknowledged that even before the 1860's, there was a developed cotton-growing



area in the Iravan-Nakhichevan districts of Northern Azerbaijan. Due to the increasing interest of the Russian textile industry, from the 1860's cotton-growing started to develop rapidly in other regions of Azerbaijan, especially in the Shirvan, Karabakh and Mughan zones.

From the 1880's onwards, industrial cotton-growing started in earnest in Northern Azerbaijan. Although cotton had been cultivated since ancient times in Azerbaijan, it had been cultivated as a garden plant for centuries and had been used only for household needs. But from the 1860's-1880's, cotton-growing became an industry and at the beginning of the 20th century, the total area of cotton fields in Northern Azerbaijan reached 112,000 dessiatinas.

In general, if we talk about the particular features of Azerbaijani agriculture in the early 20th century, we should note that arable farming was the main sphere of agriculture at that time. The total area of arable land in the Baku and Yelizavetpol regions was more than 1.5 million dessiatinas. There is no great difference between a dessiatina and a hectare. One dessiatina was about 2,400 square sazhen. If we compare this with modern units of measurement, one dessiatina is about 1.06 hectares. This means that there were more than 1.5 million hectares of arable land in the Baku and Yelizavetpol regions, Zaqatala district and Nakhichevan district at the time. If we add our lands in Iravan, Darband and Borchali to this figure, then the total area of arable land in Northern Azerbaijan in the early 20th century would have reached 1.8-2.0 million dessiatinas.

Grain-cultivation was one of the main spheres of farming. But as I said above, along with grain-cultivation, the sowing areas of technical plants such as cotton and tobacco were grad-

ually increasing. The biggest innovation in the sphere of tobacco-growing in the late 19th and early 20th centuries is that along with the raw tobacco that had been cultivated in Northern Azerbaijan until then, Trabzon and Sansun tobacco brought from Asia Minor was also cultivated here. However, the capacity of the tobacco-processing industry was not that great. For example, in Northern Azerbaijan there were only two or three small tobacco-processing enterprises in Baku, Nukha and Shamakhi. The enterprise in Baku was slightly larger.

Horticulture was one of the main spheres of farming in Northern Azerbaijan's agriculture. Horticulture was divided into two types - fruit-growing and vineyards. Though vineyards were quite common in most parts of Northern Azerbaijan, fruit-growing was more developed in the north of the country - in the regions at the foot of the Great Caucasus Ridge, as well as in various parts of the Smaller Caucasus. In the late 19th and early 20th centuries, the commodity nature of fruit-growing and vineyards in Northern Azerbaijan gradually increased due to the development of transport. At this time, a wine-making industry emerged even though this was not traditional for Northern Azerbaijan.

Due to the development of transport, horticulture became the main sphere of the economy in many parts of Northern Azerbaijan. The opening of the Tbilisi-Baku line of the South Caucasus railway in May 1883, the extension of the Vladikavkaz railway first to Port Petrovsk (currently, Makhachkala) and then to Bilajari in 1900 created conditions for fruit-growing to develop rapidly in the northern and northeastern part of Northern Azerbaijan.

While talking about the particular features of agriculture in Northern Azerbaijan in the early 20th century, I should make one point. After Northern Azerbaijan was occupied by Russia in the

early 19th century, the tsarist government, which had taken over a Muslim country, had to take serious measures to create a social basis for itself here. One of the most important measures was the tsarist policy of resettlement. In the 1820's, the tsarist government tried to resettle soldiers who had served then retired in the Caucasus. In particular, attempts were made to set up a camp for retired soldiers outside the regimental headquarters near Khankandi in Karabakh. This attempt failed and starting from the 1830's, the Russians started resettling persecuted sectarian villagers from Russia in Northern Azerbaijan.

Beginning from the 1830's, Molokans, Old Believers, Adventists, Baptists and sectarians were resettled en masse in the best regions of Northern Azerbaijan. The main areas for this resettlement were mainly situated along the new borders between Russia, the Qajar state and the Ottoman Empire. An attempt was here made to create a cordon sanitaire from the Christian population. Later, the zones where the sectarians were resettled were expanded at the expense of Azerbaijan's most picturesque areas, including the Quba region. About 20 new settlements were set up on the territory of Quba. In Quba itself, the Russians built an adobe church in 1834-1837. Later, a new church was built in its place in the middle of the 19th century.

The Russian villagers were resettled in the best parts of Northern Azerbaijan. For example, a village called Yelenovka was founded in the village of Khuch on the territory of Quba in 1891 and the Azerbaijani population was totally expelled from that area. The Russians who moved there were not poor. The poorest among them had 100-200 roubles. Some of them even had 1,000 roubles. But despite that, the government allocated 100 roubles in aid to each family and exempted them from taxes



for six years. As a result, ahead of WWI, the Russians comprised 8.9 per cent of the population in the Caucasus, while in Northern Azerbaijan this figure was 9.9 per cent.

In particular, there was a large number of Russians in the Baku region. At that time, the population of the Baku region was about 860,000. The population of the Yelizavetpol region was about 1.1 million and the Iravan region - 600,000. In general, the population of Northern Azerbaijan was about 3 million. And the number of Russian migrants here was higher than average for the Caucasus. It is clear that Russia was trying to create a Christian stronghold in a Muslim country in order to use it when-ever necessary. It is no coincidence that during WWI, the government distributed weapons among the Russians who had settled in the region, especially in Mughan, so that they could help the government if the Muslims suddenly rose up and supported the Ottomans.

What I listed above were the main specific features of agriculture in Northern Azerbaijan in the early 20th century. During the Azerbaijan Democratic Republic, the national government prepared a draft on drastic land reforms and submitted it to parliament for consideration. However, unfortunately, subsequent events, and primarily the Soviet-Bolshevik invasion, did not allow this draft to be enforced. If there are issues you are interested in or that I have omitted, please ask your questions.

**Participant:**

- Thank you. Haji, I liked your speech very much. But I have the following question. There was a special state resolution on the resettlement of Molokans to Azerbaijan. I would like to know when that resolution was issued.

**Haji Hasanov:**

- That resolution was issued on 14 July 1830.

**Participant:**

- You spoke about treasury lands and private lands. What was the difference between them?

**Haji Hasanov:**

- The difference was that the revenues from treasury lands went directly into the treasury. But when we talk about private lands, we mean lands that belonged to wealthy people. Historical literature refers to the villagers who lived on these lands as private villagers. Apart from paying the land over, they also paid "zemskiy sbor" and some other taxes to the state. The tax burden on private villagers was heavier than that of treasury villagers.

**Aydin Balayev:**

- If there are no other questions, we can give the floor to Eynulla. He will make a report on the state of agriculture in the region.

**Eynulla Kheyrollayev:**

- I would like to once more return to history. Recently, we had visitors from Japan. They were representatives of a Japanese international cooperation organization. They inspected agriculture in Quba. We visited different farms. They said that the Caucasus is regarded throughout the world as the homeland of the apple. We think if the Caucasus is the homeland of the apple, Quba is the part of the Caucasus implied because we have numerous traditions, customs and songs about the Quba apple. Part of our life is linked to this fruit. Along with that, another major area is sheep-breeding.

Nowadays, apple-growing and fruit-growing are particularly developed in Quba. Our gardens produce almost super sorts. They are highly productive. We have wonderful different kinds of local apples. However, to meet the requirement of the market, we are cultivating mainly super-varieties imported from abroad. But problems related to the sale and cultivation of apples are increasing gradually. What I mean is that, in order to cultivate this fruit, a villager has to use more fertilizers and minerals. However, the lack of markets is rather obvious here. Our apples from Quba are mainly exported to the Russian market. The Russian market may close for political reasons at any time.

We experienced this during the year. When a decision is made, the customs doors are closed to us and villagers' harvests remain on the border for a long time and decay or get lost in some other way. This causes great damage. Another problem is that Quba apples are very cheap on the Russian market as the market is not being studied, and our villagers sustain great losses.

Quba currently has 14,300 hectares of orchards and these orchards produce about 109,000 tonnes of produce per year. Our storage rooms only have capacity for one third of this. Our storage rooms are small. And of course, this does not meet villagers' demands. Apples are a seasonal fruit and should be sold in time. We always experience this problem. We use wood and cardboard packaging, which causes great damage to the forests. Therefore, the use of wood boxes has now been strictly banned. For this reason, there are problems in providing high quality packaging for our product.

If we want to access the European market, our products should be professionally packaged. There is a crying need to build local processing factories. We have two big factories work-

ing here - the Saf company factory and the Caucasus cannery. They do not need the apples we produce. They buy low quality products for juice production and pay villagers 40 qapiks for one box of apples. Often, they do not pay anything. Villagers visit them all the time for their money. As a result, villagers always incur losses. For this reason, if we had processing factories, packaging cooperatives and small freezer rooms to store the harvest this would help ensure high quality products.

During our conversation with the Japanese, they said that in Japan, one village or several villages usually join forces and make one product. They alone make this product. They are known for this brand and their products are in great demand everywhere. But if we look at our country, today we grow grain, tomorrow we plant cotton in the same field, then it is something else because villagers do not know what sphere is most useful and beneficial to them.

For this reason, our farms are unable to produce one thing for any period of time. The main reason is that the market has not been comprehensively studied and market requirements are not being studied regularly. This year our people sustained great losses from the sale of fruit. There are many people who bought fruit, but were unable to pay, and this causes conflicts between villagers.

If we look at another sphere - cattle-breeding, we will see that our pastures are gradually shrinking. The reason is that construction and excavation work is being carried out and roads are being built on pasture lands. The construction of tourist facilities leads to a shrinking in the area of pasture lands.

And this undermines cattle-breeding, which is the main business for many villagers. There was a culture of going to summer pastures in Shirvan, but this is now impossible because that land has been seized. For example, the population of Khinaliq, who



were engaged in cattle-breeding for a long time were forced to give up this business because wealthy people are now engaged in this sphere. People's lives have changed. People have lost their history and culture. This is not only a source of income, but also a way of life and their culture.

It is good that a decree has been issued to prevent changes in the purpose for which land is used. According to that decree, the purpose for which land is used cannot be changed without permission from the Cabinet of Ministers. At one time, this process was happening very rapidly and many plots of land changed their purpose.

Grain-growing and potato-growing are also developing in Quba. However, these are somewhat auxiliary spheres. The development of these spheres is a problem given the lack of equipment. Currently, agrarian service stations and agro-leasing are in operation. But very often people are suspicious as to whether their aim is to help villagers or to take their money and make them bankrupt. It would be good if these companies helped villagers get rich and if people could use their services. In Quba, there are about 20 banks. However, ordinary villagers are unable to obtain loans from them.

Now inflation has started and the situation has become even more complicated. When will this poor villager be able to benefit from these loans? Now most of the land in Quba is abandoned because villagers cannot use it. Five years ago, only 20 manats were required to cultivate one hectare of land, and now 100 manats are needed. This is a lot of money. This is built into the cost of products and has a very negative impact on people's lives.

Big leasing companies are being set up in Azerbaijan. However, they are located in regions that are far from Quba and

villagers have no possibility of going there and bringing that equipment. A villager has no opportunity to bring it from Shirvan or from other places. A villager wants to have and use such leasing companies in the district where he lives.

There is an even greater need for small mowers and tractors. It is more beneficial to use small equipment, because bigger equipment is for bigger fields. Here every villager has only one hectare of land. He needs to bring a tractor, mow his field, use it and harvest his fruit.

In fact, in a way the poor villager is still experiencing the same difficulties as in the time of the ADR. There was no equipment at the time and this problem still persists. It would be good if the banks themselves were interested in offering loans to villagers.

The banks should bring new technologies from Europe and offer them to villagers. Villagers should have a greater choice in order to be able to select what is best for them and become rich. In this way, they could save themselves from poverty and become the bank's client and partner. As the purchasing capacity of the population increases, the number of those using banking services will increase. But in order to get 1,000 manats from our banks, you have to pledge two houses.

**Participant:**

- You have to spend 2,000 manats in order to get a loan of 1,000 manats.

**Eynulla Kheyrollayev:**

- For credit of 1,000 manats, they take pictures of four people's houses. Revenues from Azerbaijani oil are currently kept in

various banks of the world at low interest rates. I would like our banks to give that money to the people at low interest rates. This would be useful for our state and people. Discussions are going on regarding this subject at the moment. I suppose that our government agencies will soon resolve this problem. Our villagers will benefit from this and develop agriculture. I would like our esteemed farmer to express his opinion as someone who is working in the agricultural sphere in Quba.

**Participant:**

- Thank you very much. You expressed an idea that crossed my mind a while ago. I would like to add a couple of words. First, after Azerbaijan gained its independence, its fate was linked exclusively to oil. This was a big mistake because it led to a decline in other spheres, including agriculture. It is true that land reform was conducted. At first glance, people became land owners. Of course, this was good for the people and there was some progress.

But in general, a great blow was dealt to agriculture. Those engaged in agriculture today are experiencing the results of that blow. What was that blow? First, during the land reform of 1997, 46 per cent of the population suddenly became land owners. Even those who did not work on the land suddenly became land owners. On the other hand, the property of state farms was totally destroyed. They reported that allegedly, the property, including thousands of head of cattle, was handed over from the state to the private sector. Allegedly, people keep the cows of the state farm at home, milk them, then eat them. In fact, all those cows were slaughtered. Today we have a situation when a villager gets 3-5 litres from one cow, whereas in Soviet times,

pedigree cattle were constantly imported from abroad. New seeds were imported and thousands of hectares of orchards were planted. In the 1990's, there was chaos in agriculture, and we are still suffering from this.

I just said that 46 per cent of the population was engaged in agriculture. There is no such thing anywhere in the world. I have been to America and Turkey. In those countries, an average of 2-4 per cent of the population is engaged in agriculture. In Azerbaijan, a teacher goes to teach a class, but has his garden and calf on his mind. A doctor works at a hospital and gets a symbolic salary of 100 manats. For this reason, he thinks about the patient's pocket and personal farm. Such people cannot be proper teachers, doctors or farmers. It is necessary to change this situation.

Second, changing the purpose for which land is used is a serious problem. This deals a great blow to agriculture. Some 99 per cent of open land in Quba is suitable for agriculture. Some official or wealthy person buys the 3-hectare apple orchard handed over to a villager as a plot of land and surrounds it with a 5-metre fence that resembles the walls of a castle. He chops down all the apple trees on that land and plants palm trees instead. Palm trees are being planted instead of apples in Quba!

In Quba, apples have been grown historically. There is everything here. One person needs 72 kg of meat per year. But in Azerbaijan average annual meat consumption does not exceed 50 kg. But we see that there is always meat in the marketplace. What is the reason for this? People's purchasing capacity is low. What I mean is that everyone would like to consume meat and milk. There are people who live in the village. They have one calf in their courtyard, but they have not eaten meat for months.

These people eat meat only on holidays. Or everyone would like their children and family to consume dairy products every day. I should say that a family of six should buy about 450 kg of meat products every year. Which villager is buying that amount?

For this reason, there is an artificial abundance on the market today. What is the reason for that? The reason is that energy prices in Azerbaijan are higher than on the world market. What do I mean? For example, let's take neighbouring Iran. The price of fuel there is probably 10 times lower or more than here.

We spent four months on a training course organized by the Norwegians. Specialists came here to teach us. In connection with the world financial crisis and oil prices, we wondered about Norway's oil exchange. The price of oil in Norway is determined on a weekly basis. The Cabinet of Ministers of Norway closely follows retail sales and announces the weekly price. For example, what was the price of petrol here this week? It was 55 qapiks, and the Cabinet of Ministers decides that it should be 50 qapiks next week. The price of oil in Azerbaijan is higher than in Russia today. We sell our own oil and our own products for a high price. This has a negative effect on the cost of agricultural produce. Elnur was just now in saying that when we hand over poor quality apples for processing, we do not even cover our transport expenses.

Believe it or not, the situation is so bad that we want to go to court. We are not looking to make a lot of money. We just want the market to be full. The state should take account of all this and subsidize our produce. For example, the state took care of grain-cultivation last year. The grain-growers were given a fuel allowance and discounts on fertilizers and seeds. All this is good. But what is the situation like this year? I am a farmer and I bought seeds for 60 qapiks and planted grain on a field of about



100 hectares. Today the price of grain on the market is 20 qapiks. This means that if I sell my grain for 10 qapiks, I will sustain great losses. My profit will not cover my expenses. This should be prevented. For example, if I spend 20,000 manats on 100 hectares and lose 10,000 manats, I will not go near land this year.

**Participant:**

- How much is one pack of grass?

**Participant:**

- Two manats.

**Participant:**

- How much is one container of milk?

**Participant:**

- Also two manats.

**Participant:**

- That is why there is no benefit to villagers in keeping cattle. This means that a cow eats one pack of grass and you sell one container of milk, which hardly covers your expenditure on the grass. Where is the result of your hard work? That is why people are running away from the villages.

**Participant:**

- Five years ago, that same grass cost 60 qapiks.

**Participant:**

- I would like to say a couple of words about credits. There is only one bank that issues credits right now, and the interest

rate is 36 per cent. If you get a loan of 1,000 manats, you have to pay interest of 360 manats. If we add documentation and other expenses, there is nothing left. Believe me, it is not a loan, it is like falling into an abyss. You cannot develop agriculture using such a credit. In Soviet times, everything was regulated. The state had a plan. Today villagers hear a lot of fine-sounding words. The president has issued decrees. If you read the papers, everything is fine. But those decrees are not being enforced and people are not feeling any benefit from them.

We spoke about the import of pedigree cattle. Every day television is talking about cattle and discounts. Today Azerbaijan imported 191 head of pedigree cattle. But that is not even 0.001 per cent in agriculture. If we want to live today, we should wake up from the trouble that oil has brought to us. Historically, Azerbaijan has been an agrarian country, and it is necessary to develop the agrarian sector.

I would like to add one more thing if I may. We have an additional programme. Specialists in alternative sources of energy came here from Norway. There was a good proposal put forward that 20 per cent of Azerbaijan's demand for gas and energy could be covered by alternative energy sources. If there are cattle, there is gas. In other words, today it is not enough to extract gas from Shah Daniz and sell it on the world market. If we cover that 20 per cent from alternative sources, we will earn a lot from this.

I want to say that Azerbaijani agriculture has adequate resources. It is simply necessary to make effective use of them. I would like to thank the organizers because we have learnt something from this conference and acquired knowledge. I wish such conferences were held in places where it is hard to gain access and where we are not heard. The people want to work hard and

go home with a crust of bread in the evenings. But believe me, currently 80-85 per cent of the district population cannot find bread to eat in the evenings and these people feel guilty before their families. The money they earn on farms is not enough. Our idea is to have jobs so that people can work hard. Even though they do not have the power to resolve major problems, they should at least be able to provide food for their family. Thank you.

**Aydin Balayev:**

- Thank you. Who else wants to speak?

**Participant:**

- I am well known in the district, I always speak out openly and I have appeared on television. I am told that I will be arrested for this one day. So what -I would be happy if I were arrested. When our banks get credits from foreign banks, they do not pay more than 5 per cent. But they offer us loans with an interest rate of 35 per cent. World experience proves that a person engaged in agriculture can earn an average of 7-8 per cent per year. That's to say you spend 100,000 manats, but earn only 7,000. How should I pay this 35 per cent? Today money from the Oil Fund has been invested in foreign banks. It is necessary to bring that money back into the country and allocate properly-supervised cheap credits to entrepreneurs. I spoke in Baku on this issue. I proposed setting up a special Land Bank whose main task would be to allocate credits with an interest rate of 5-6 per cent to those engaged in agriculture.

**Participant:**

- Here an ordinary villager needs 1,000 manats per year in order to cultivate one hectare of land. Most villagers are hard-



working people. They do not need 100,000 manats, they just need 500-1,000 manats.

**Participant:**

- Our people work hard and pay off their debts. Banks have been opened in Khudat. The annual interest rate on the credits they allocate is 35 per cent. If this happens, then there is no choice. This is the reason why we are asking your centre to inform the proper authorities about this. Let banks give us money at a 5-per-cent interest rate. Azerbaijan allocated credits to other countries with an interest rate of 2.5 per cent. They should at least give us money with a rate of 10 per cent.

**Participant:**

- Now is the time of agricultural work. Villagers need money. Unemployment forces them to go to Russia. People sell their land at a very low price. One man sold 1.5 hectares for 4,000 dollars. He spent the 4,000 dollars in one month and paid off his debts. What will he do in six months' time?

**Participant:**

- What are they doing with the land? I am a farmer. The issue of winter and summer pastures can be resolved with one phone call. I go to the executive authorities, but they will not give me a place. I have no power, while hundreds of hectares of land are allocated thanks to one phone call.

The population of Khinaliq has been engaged in cattle-breeding throughout history. Khinaliq cheese cannot be found in any other part of Azerbaijan. Nomads have lost their business because some person has money. They buy Khinaliq land, bring

3,000-5,000 head of sheep and then abandon that business because they have no skills in this sphere. The Shah plain in Khinaliq has the best summer pastures. Last year an instruction was issued that there should be no sheep because someone wants to build a recreational zone there. Since Khinaliq is 2,000 metres above sea level, they are paid compensation because there is not enough oxygen. But they are investing money to construct a recreational centre. Someone comes here, stays for two days, cannot breathe and leaves and loses his money. No-one wants to spend his holiday here. They are not thinking about the fact that the state has been paying compensation to local residents for a long time. Everything is because they have lots of money and they don't know where to invest it.

**Eynulla Kheyrollayev:**

- Sheep-breeding is part of the culture here. Our lives are linked to it, that's to say it is a whole tradition to move to summer pastures, prepare for this, sacrifice animals on your return, gather people together, plan weddings - who will marry after coming back and for whom a carpet should be woven.

**Participant:**

- Haji was correct when he said that when the Russians pursued their policy of resettlement they paid money to migrants at that time in order to create adequate living conditions. What do we want? What do people want? The territory of this district is mountainous. Everyone survives by his own wits. The situation really is deplorable everywhere. It is the same in our village. We are suffering economic difficulties. We lose hundreds of tonnes of produce. If there were one processing factory here and if they

paid a decent price, there would be no such problems. At the end of the day, a box of produce should not be brought for 50 qapiks!

**Participant:**

- Excuse me. I should say one more thing. There were two modern canneries in Quba and each of them had 2,000 workers. Some 100-150 people worked in the 7-8 local centres. Now they have all been closed down. How can these people survive if there is no processing here?

**Participant:**

- I myself work at a centre. Until March or April, there was fruit at the centre. We even produced something from rotting fruit.

**Aydin Balayev:**

- If no-one else wants to speak, then let's move on to the third part of our conference. Vusal will be talking about the current problems of Azerbaijani agriculture.

**Vuqar Qasimli:**

- I would like to welcome you all and thank you for taking the time to come here when harvest is in full swing. I would also like to thank the speakers who went before me for a very interesting discussion and the interesting ideas they expressed. Haji made a report on the situation in Azerbaijani agriculture 100 years ago. What is the situation like now? In fact, you are more aware of the situation in the regions now. However, a macro-economic view gives us a "bird's eye view" of the situation.

First of all, I should tell you that Azerbaijan's land and water resources are not as great as was believed until recently. In our

country, there are 0.55 hectares of land per head of the population. This figure is very small compared with neighbouring countries. What is more, there is a serious problem of salinity and erosion on these lands. You also know that our treacherous neighbours have occupied 20 per cent of our lands, and this shows that our land reserves are restricted.

There is a similar problem concerning water reserves. Domestic sources meet only 30 per cent of our demand for water. The remaining 70 per cent come from external sources, and these sources - Araz and Kura - are being contaminated and are somewhat unsuitable by the time they reach us. In other words, the situation is not particularly heartening from this point of view. Agricultural production is based on these two reserves.

On the other hand, the presence of nine climate zones in Azerbaijan can be regarded as an advantage in terms of agriculture.

The production capability of local agriculture is still unable to satisfy public demand for food in full, although thanks to the successful agrarian policy that is being conducted, Azerbaijan is providing itself with food from domestic sources as never before. Hard currency expenditure on food imports is growing year on year. For example, although the country imported food worth only 310.1 million US dollars in 2003, in 2007 this indicator trebled and reached 907.4 million US dollars. In 2003-2007, 2.628 billion US dollars were spent on food imports, which was 6.4 times higher than the investment of 412.4 million US dollars made in the main assets of the agrarian sector in that period. The growth in general demand which has ensued as a result of the growing incomes of the population has accelerated the import of food products into the country. Ever one per cent of

growth in the population's income increased food imports by 0.57 per cent. Bearing this in mind, the state should be allocating even more funding to development of the agro-industrial complex so that the money spent on the import of food products remains in the country.

The foreign trade index reflects the correlation between the amount of produce of the same type imported into the country and exported from the country. If we carry out an analysis of products of different types, then it will show the amount of one product exported from the country and of another product imported from another country.

We have analyzed the foreign trade index regarding the same products exported from Azerbaijan and imported into Azerbaijan from other countries and the real exchange rate of the manat for these products. Compared with 2003, the foreign trade index for grain flour increased by 67.5 per cent in 2007. This growth occurred due to the rising price of grain flour exported from Azerbaijan in relation to import prices. However, compared to 2004, the foreign trade index for grain flour worsened in 2005. Or to be more precise, if in 2004 0.96 tonnes of grain flour were imported into Azerbaijan instead of one tonne of grain flour exported from the country, in 2005, only 0.62 tonnes were imported. The foreign trade index for tea and vegetables increased dynamically. The foreign trade index for potatoes fluctuated during 2003-2007. The real rate of the manat is not proportionate to the foreign trade index. If the foreign trade index of most agricultural produce is good, the real rate of the manat to the dollar also increases. For example, as a result of the import and export of one tonne of tea the real exchange rate of the dollar for the manat totalled 1.064 in 2003, while in 2007

it was 0.507. This means that the real exchange rate of the dollar to the manat (regarding tea) dropped by 47.6 per cent. This analysis shows that the real exchange rate of the dollar to the manat fell in terms of all products. The main conclusion of this analysis is that the competitiveness of the products that are under review is falling. In other words, the real value of the manat in respect of the US dollar is on the rise.

What should we do in this global economic crisis? Our only way is to reduce the cost price of agricultural produce in Azerbaijan and ensure the competitiveness of agriculture. During recent meetings, President Ilham Aliyev has instructed the government to bring 2.5 billion dollars from the Oil Fund to Azerbaijan. Do not think that all officials are happy to spend 2.5 billion dollars on the wellbeing of the country. But the president is well aware of this. If you noticed, the president said quite correctly in his speech that this money should go into Azerbaijan's real sector.

The quickest way for Azerbaijan to overcome the world economic crisis is to develop the agrarian-industrial complex. This includes agricultural and related processing industries. The processing industry is the locomotive driving the train of the economy. Were it not for the processing industry, it would be like connecting carriages to a train and waiting for the train to set off.

In our opinion, this 2.5 billion should be given to Azerbaijan's commercial banks as a long-term credit to be used to increase the liquidity of banks and serve to maintain the rate of the manat and inflation at a proper level - in short, it should serve to maintain the macroeconomic balance. I should tell you that in the current situation, the profitability rate of these funds is below 10 per cent because most of them are in US securities. These securities have one particular feature: their profitability rate is very low, but their

prices do not fall either and the risk is minimal. For this reason, if you noticed, the Norwegian Pension Fund lost 93 billion dollars or one quarter of its value as a result of the global economic crisis. But Azerbaijan's Oil Fund lost only 650 million dollars, in other words, only 6-7 per cent of its reserves. This means that we should use part of our gold and currency reserves kept abroad to raise the competitiveness of the Azerbaijani economy and maintain macroeconomic stability. The president issued an instruction that the currency reserves can be used only for the real sector, including agriculture. Before allocating money to the agrarian sector, it is necessary to prove scientifically which spheres show a comparative advantage in this sector and prioritize them.

If we are thinking of planting grain on a mass scale, this is not the right approach, because the mass cultivation of grain will lead to the shrinking of pasture lands. If we are engaged in sheep-breeding on a mass scale, this is damaging to crop cultivation and even the ecological balance. We should find an optimal balance between the different spheres so that we can specialize in products that are cheaper, have a high price and have a market. For example, research based on domestic resource prices in Azerbaijan (dividing expenses for domestic production and the added value of analogous foreign products) showed that pomegranate, walnuts and fruits and vegetables have a comparative advantage. However, it is not enough to increase productivity in these spheres; it is also necessary to strengthen the locomotive - the processing industry and the agricultural infrastructure, to set up corporations of agricultural manufacturers and improve their access to markets and financial resources. I agree with you that monopolies should be eliminated in the processing industry and an environment of competition should be created.



In order to minimize the impact on our national economy of the global economic crisis, which began in 2008, and increase the competitiveness of products in the agrarian-industrial complex by reducing their cost price, the state should pursue a policy of reducing regulated prices. As a result of our research based on the balance between various spheres in the Azerbaijan Republic, prepared by the State Statistics Committee for 2006, the following three matrices were established:

- The matrix of direct material expenses;
- The matrix of full material expenses;
- The matrix of indirect expenses.

Our calculations on these matrices show that if the prices regulated by the state - tariffs for oil products, electricity, gas, water and public utilities - are reduced by 25 per cent, the general rate of inflation in the country will fall by 2 per cent. The argument that the state's fiscal income will also fall does not seem to be substantiated. For example, the increasing competitiveness of the economy leads to expansion of the tax market and ultimately causes an increase in state revenues. The Laffer curve reflects the growth in state revenues through the reduction of tax rates and the expansion of the tax base. In this way, it is possible to ensure that products manufactured in the agro-industrial sphere are more competitive in comparison with their foreign counterparts because the more rapid devaluation of the national currencies of our partners such as Russia, Ukraine and Kazakhstan in comparison with the Azerbaijani manat since the final quarter of 2008 and the fall in energy prices coupled with this devaluation among our partners importing oil weakens the competitiveness of local products and services in our country.

You spoke about technical support here today. The number of tractors in Azerbaijan in 1985 was three times higher than in 2006 and ploughs - four times higher. Thus, the assets available in the agrarian sector in 2007 were at the level of 1996. As a result, if in 1985, 30 hours were required for harvesting 100 kg of cotton, in 2007 it required 60 hours. The harvesting of potatoes took twice as much time in this period.

However, since 2007, the state has started to rapidly increase its support for the agrarian sector. According to the presidential decree of 23 January 2007 "On state support for the manufacturers of agricultural produce", grain producers were paid 22.09 million manats in 2007 for planting grain on an area of 550,710 hectares in order to cover an average of 50 per cent of the value of fuel, motor oil and mineral fertilizers used in agriculture. They were also paid 2.29 million manats for planting cotton on 57,330 hectares of land, 0.57 million manats for planting potatoes on 14,160 hectares, 1.25 million manats for 31,250 hectares of vegetable fields, 282,360 manats for 7,000 hectares of vineyards, 243,660 manats for 6,100 hectares of orchards and 14.86 million manats for 271,560 hectares of other crops. In total, they were paid 42.19 million manats for 1.05 million hectares of sowing areas.

Since agricultural producers have been exempted from tax, the state budget is paying indirect subsidies. The amount of such tax privileges in 1999 totalled 56.8 million, 63.7 million in 2000, 102.6 million in 2005, 119 million in 2006 and 123.8 million in 2007. In 2007, the state budget allocated 1.495 billion manats for the production and sale of original, super-elite, elite, first and second-category seeds. In 2008, 54.36 million manats were allocated to agricultural producers for motor oil needed for the cultivation of sowing areas.

One of the problems waiting to be solved in the republic's agriculture is the supply of fertilizers, and state regulation plays an important role in this sphere. If in 1985, 314,000 tonnes of fertilizers were used in the republic, in 1995, this indicator reached 4,700 tonnes. If we compare the volume of fertilizers imported into the country in 2006-2007 (in physical weight) and the demand which we calculated based on norms for crops (in nutrients), it becomes clear that only a very small part of demand is being met. Following the decree issued by Azerbaijani President Ilham Aliyev on 21 August 2008 "On additional support to provide agricultural producers with seeds, fertilizers and pedigree cattle", ways of solving the problem in this sphere were determined. We propose that state stimulation should be carried out on the basis of regional and sectoral principles and based on the mechanism to stimulate export potential.

For your information, it should be pointed out that in 2005-2007, the Agroleasing open joint-stock company and private organizations imported 225,000 tonnes of mineral fertilizers into the country. In 2003-2007, fertilizers worth 60 million US dollars were imported into Azerbaijan, whereas it would be possible to use the money spent on the import of fertilizers to organize the production of fertilizers in Azerbaijan, which has a cheap workforce, local raw materials and experience in the chemical industry. It is no accident that according to the state programme to provide the population with food products in 2008-2015, it is planned to build a factory to produce nitric fertilizers in the country in 2010.

In order to improve melioration and irrigation systems, the Azerbaijani government has implemented a number of projects using credits from the World Bank, the Islamic Development Bank and the Asian Development Bank as well as funding from the State Oil Fund and the state budget.

In order to increase the productivity of cattle in the country, improve existing breeds of cattle and increase the number of pedigree cattle, such cattle will be imported from abroad in 2008-2009 and sold to agricultural producers engaged in cattle-breeding with a 50-per-cent discount through leasing. The fact that every cow and buffalo provided 1,110 kg of milk in 2007 shows that the pedigree cattle business is still not at an appropriate level.

The privileged credits that the state is allocating to agriculture in our republic are concentrated mainly in Azerbaijan's National Fund to Assist Entrepreneurship. As of 1 January 2009, 7,350 business entities had been given privileged credits of 335,600 million manats from the Fund. In 2008 alone, 37.2 million manats were allocated from the Fund to the sector producing and processing agricultural produce, which was equal to 42.4 per cent of the general credit portfolio.

In the period that Haji spoke about - if we compare the beginning of the previous century and the current period - our greatest achievement is the independence of Azerbaijan. The main purpose of our discussions is not to list problems and cultivate an inferiority complex, but on the contrary, to support the government in solving problems.

**Participant:**

- Have you submitted your proposals on the development of the agrarian sector to the government?

**Vuqar Qasimli:**

- In January 2009, we held an international conference on the prospects for development of the agro-industrial complex in Azerbaijan during the global economic crisis. In fact, before the conference the entire press corps argued that during the global

economic crisis we should channel some of the money from the State Oil Fund into the construction sector. However, after our conference, their arguments changed - it became clear that it was more important to develop the agro-industrial sector.

In order to minimize the impact of the global financial crisis, which began in 2008, on the Azerbaijani economy, and especially on the agrarian sector, it is necessary to establish a mechanism for bringing the assets of the State Oil Fund to Azerbaijan and using them correctly. For example, during the global economic crisis, the US "Paulson plan" envisages the purchase of banks' "toxic" assets by the government, while the rescue plan in Britain provides for the nationalization of banks. During the crisis of 1980, the Swedish government nationalized, restructured and then re-privatized banks. In France, as an integral part of the plan to overcome the global financial crisis, the government gave money to banks without any supervisory mechanism. The nationalization of banks in Azerbaijan may lead to unfair competition and monopolistic tendencies in the banking sector, and for this reason we can say "no" to nationalization. As for the enforcement of the "Paulson plan", the problem of "toxic assets" in our banks is not as severe as in America, and the main challenge for local banks is the lack of liquid assets. For this reason, it would be better if the gold and currency reserves in Azerbaijan were used to issue long-term and privileged credits to local banks as an anti-crisis measure and were channeled into increasing the liquidity of banks, the competitiveness of the economy and the level of employment. At this moment, it is necessary to make the agro-industrial complex a priority because an increase in business activity in this sector, where 2 million people work, will increase general demand and thus stimulate supply.

The fall in the inflation rate to a single-digit figure should be regarded as one prospect of the agrarian market. The process of deflation which has been observed since the end of 2008 has had an influence on such economic parameters as business activity, revenues and employment in the agrarian sector. For example, we developed the new Cain-Phillips econometric model, which expresses the link between inflation and employment on the basis of information for 2000-2007. The 1.6-per-cent fall in unemployment in 2000-2007 increased inflation by 0.5 per cent. This shows that a drop in the inflation rate may have a negative impact on employment and business activity in the economy, including its most labour-intensive sector - agriculture. We think that state investments in the agrarian sector should be supplemented with propaganda measures and subsidies, as well as the introduction of guaranteed prices. In this way, the product created by the villagers with state support can find a market and thus lead to broad repeat production in agriculture.

**Participant:**

- I would just like to say that it would be better if the rate of the manat did not fall. You know why? They have said 100 times in Azerbaijan that the price of Qaradag cement is five manats. But it is only available now for 10 manats. It is the monopolies that inflate the price. It is controlled by one person who does not allow it to be sold for less than 10 manats. You know what is going on in Azerbaijan today? Everything has been monopolized.

**Aydin Balayev:**

- I thank you all. I think that today's conference has been rather interesting and everyone has spoken frankly. Thank you.

## **WOMEN'S RIGHTS IN AZERBAIJAN: BACK TO THE FUTURE**

The town of Masalli  
23 May 2009

### **Zahir Amanov:**

- The main subject of the event is "Women's rights in Azerbaijan: Traditions and the current situation". The organizer of the event is the Centre for National and International Studies. The floor is given to the president of the centre, Leyla Aliyeva. Please, Leyla.

### **Leyla Aliyeva:**

- Hello, thank you for coming here today. This is my first visit to Masalli. I am very pleased that there has been an opportunity to do this. This is our seventh conference. Our centre's project includes eight conferences. You probably noticed that the programme refers to the 90th anniversary of the Azerbaijan Democratic Republic. We began holding these conferences last year, i.e. we dedicated them to the 90th anniversary of the Azerbaijan Democratic Republic. The main goal of the project is to look into Azerbaijani identity, i.e. what an Azerbaijani means. We have to clarify whether our position in the current post-Soviet period reflects our potential or not and whether we can rise higher or not? To this end, we have to look at all our modern-day problems in their historical context. Your participation in these processes is very important.

I would like to give you some brief information. Our first conference was held in Shaki and focused on parliamentarianism. We discussed the historical roots and modern condition of Azerbaijani parliamentarianism which emerged in 1918. It is interesting whether Azerbaijan has progressed or regressed in this area over the last 100 years. We will look into these issues with your help today.

In this connection, there will be three speakers. The first speaker is the well-known expert and senior fellow of the National Academy, Kamran Ismayilov. He is the author of

numerous articles and has participated in three conferences with us. As a rule, his speeches are received with great interest. In general, people participate in our conferences at a high level, independently, intellectually and actively. I have seen for myself that there is great potential in the districts.

You are aware that Ganja was the first capital of the Azerbaijan Democratic Republic. Our conference there was highly successful. About 60 people gathered there and the national anthem was sung. We intend to hold our last conference in Zaqatala District. It will be dedicated to independent courts. In your region, we will be discussing women's problems. Esmira will tell us about this in detail. In fact, we expect you to give us information about the situation in this sphere and look into its causes. However, the main purpose of our conference is not exclusively to do with women's problems. As I said, our purpose is broader - to look into Azerbaijani identity.

Our history shows that, 100 years ago, Azerbaijanis set up a national modern state which attained the level of European countries. From this point of view, the Azerbaijani people have a deep and rich potential for reform. For some reason, this potential has not been fully exploited in the post-Soviet period. But let us not dwell on pessimistic thoughts. I would like to give the floor to Kamran. He will be talking about gender in the Azerbaijan Democratic Republic, that's to say, the government's efforts to ensure the equality of men and women.

**Kamran Ismayilov:**

- Thank you. I would like to welcome everyone. Our event is dedicated to a very important issue indeed, and I think its timing is no coincidence, because in a few days, our people will cel-



celebrate the Day of the Republic, which is an historic event for the statehood of the Azerbaijani people. From this point of view, it is very important to gather ahead of this anniversary and discuss the problems that concern Azerbaijani citizens and the national thinking of the Azerbaijani people in general. From this point of view, it would be fitting to direct our attention to the historical issues of women's rights in Azerbaijan.

In general, I would like to tackle this issue in a broader sense, because women's problems and the ensuring of gender equality in society has been one of the main issues of concern to the Azerbaijani people throughout history. It is most remarkable that in the late 19th century, prominent Azerbaijani intellectuals started expressing their attitude to this problem. The works of the great playwright of the East, Mirza Fatali Akhundzadeh, talked of woman as the hero for the first time.

While speaking about the gender problem in the social policy pursued by the People's Republic, we should really pay attention to historical traditions. At the end of the 19th and beginning of the 20th century, our prominent intellectuals noted in their works and public activities that if a woman is not free in a society, there can be no talk of that society's development. From this point of view, Mammad Amin Rasulzadeh said in 1904 that if women live in slavery and ignorance in society, then our society itself is also an enslaved society. Rasulzadeh spoke of women's freedom as the main factor in social progress. From this point of view, Azerbaijani intellectuals differed from other intellectuals living on the fringes of the Russian Empire as they did not shy away from public discussion of women's problems.

In 1907, the prominent Azerbaijani public figure, Khalil bey Khasmammadov, suggested giving the vote and the right to mass



education to Muslim women for the first time in the Russian State Duma. It is regrettable that his proposal was not implemented for a long time, but it was in Azerbaijan where women were given the vote in 1918 - for the first time not just in the Muslim East and the Russian Empire, but in other non-European countries.

If we take a look at the development of women's problems in the early 20th century, we can see that it was in this period that our women started to become more socially active. A special newspaper for women was published in Azerbaijan. Our first female intellectuals began their social activities and finally, in that period the network of women's schools began expanding in Azerbaijan.

Why do I want to draw your attention to this problem? Because when the Republic was established, a tradition already existed in Azerbaijan, and this tradition developed even more in the new situation. During the upheavals of 1917, women occupied a special place and played a special role. As is known, April and May 1917 can be characterized as a period of awakening for the Muslim peoples in the Russian Empire. At that time, a new period of rivalry began in the national democratic movement in Azerbaijan. We witnessed women's active participation in this democratic movement. For example, the first congress of Caucasian Muslims was held in Baku in April 1917 and an event with great repercussions occurred during the congress. One of Azerbaijan's great women, Shafiga Akhundzadeh, came to a meeting of men without a headscarf and took the floor for the first time. Yes, even though many ignorant men did not like this event, progressive people described it as a very significant progressive event in Azerbaijani society.

If we look at the newspapers of that period, we can see that among many public problems, women's emancipation was one

of the issues most actively discussed. For example, there was the problem of women wearing shoes at that time. This problem, which appeared routine at first sight, was very actively debated because it was unusual for men. How was it possible for a woman to wear shoes? However, Rasulzadeh and other progressive figures in Azerbaijan said that if in Islam the attitude to women was measured only by shoes, then it was unacceptable. In that event, men should not wear shoes either. You know that the weather is very cold in some parts of the Caucasus, and that's why they are forced to wear shoes.

In general, we can witness a women's movement in Azerbaijan before the republican period. Of course, this was a very difficult and painful process because the conservative part of Azerbaijani society fiercely opposed this. In this situation, a great deal of will was required to raise the problem of women's freedom. One of the greatest historical achievements of the Azerbaijan Democratic Republic was that women's problems and issues of women's freedom were put on a practical level. Alongside other public problems, all political parties prioritized issues of women's freedom for the first time in their programmes.

Finally, the Azerbaijan Democratic Republic officially granted women the right to vote and to be elected for the first time in the Muslim East. In July 1919, the Azerbaijani parliament adopted a democratic law on elections and alongside other democratic principles, that law officially endorsed women's right to vote and to be elected. That's to say women were granted both an active and passive franchise, whereas the United States of America, which was regarded as the most democratic state in that period, gave women the right to vote just one month earlier - on 19 June 1919 - by adopting the well-known Amendment 19 to its Constitution.

As you can see, statesmen of the Republic had both a radical and democratic position on this issue. However, this does not mean that a practical solution was found when the issue was raised. In fact, there was very strong opposition in society. Most people's attitude to women's education was negative for reasons of historical traditions. For this reason, we should understand how important women's involvement in education was in that period.

However, the farsightedness of republican statesmen lay in the fact that they realized that the freedom of society, including women who make up more than half of the population, comes only from education. For this reason, it is no coincidence that while reading the works of some Soviet historians on women's freedom, we always encounter the mistaken idea that the Azerbaijani people were granted freedom only under Soviet rule. In fact, this does not reflect the truth at all because the development of women's education is closely linked with the history of the Azerbaijan Democratic Republic. Prior to that, women's schools had been opened only by certain individuals such as Zeynalabdin Tagiyev. It is very interesting that during the republican period, those women's schools, pedagogical institutes and various education centres were opened not only in Baku, but also in different parts of the republic.

From this point of view, the decision of parliament to open a women's school in the Lankaran region should be seen as laudable. Apart from Lankaran, such schools were opened in Shamakhi and Ganja as well. The plan was to open more schools in other regions. In general, the republic's purpose was to involve Azerbaijani women in both education and public activities as soon as possible. From this point of view, the democrat-

ic principles of the Azerbaijan Democratic Republic were traditionally implemented. It is no accident that we witness increasing public activities by women precisely during the republican period. For example, mass women's societies were first set up in Azerbaijan in 1918.

I am talking about mass societies because, prior to that such societies existed but they were open only to women associated with men of the elite and were closed to others. For example, it is known that in 1903, a women's society was set up in Baku. Its president was Liza Mukhtarova. Of course, this did not reflect the interests of all strata of society. However, if we look at women's increasing activity after 1917, we can see that women's societies were set up not only in Baku, but also in other regions of the country, including in the Lankaran region.

At that time, a very interesting person named Bayrambayov lived in this region. His wife was Maryam Bayrambayova, who had greatly contributed to the development of the women's movement in Azerbaijan. I would urge scholars to research her activities in the future. These women visited villages one by one and actively enrolled women and small girls in schools.

I would like to mention another woman - Khadija Talyshinskaya. This woman was not only engaged in educational activity, but also took up arms to fight for the freedom of Azerbaijan, because very complex geopolitical developments were under way in our region at the time. Russian chauvinists who had settled in some Molokan villages here refused to accept the sovereignty of the Azerbaijan Democratic Republic in the region. Using the army weapons available there, they conducted separatist actions. Khadija personally set up a guerilla movement in these mountains and fought to join the Azerbaijan Democratic Republic.

We can cite many examples like this, not just in the Lankaran region, but in various regions of Azerbaijan as a whole. They prove that Azerbaijani women had already started realizing their social-political status. This process speeded up in 1918-1920. It is natural that in a country where most of the men were illiterate, not everyone liked it when women were so actively involved in public-political activity. For this reason, a campaign was even conducted against the leaders of the Azerbaijan Democratic Republic.

I should note another fact. The issue of abolishing polygamy in the Azerbaijan Democratic Republic was raised for the first time and when the parliament was set up in 1918, our great public figure Sheykhulislamov raised this issue and said that if we really want to ensure women's freedom, we should definitely express our attitude on this issue. At that time, various people made a fuss asking why this issue was being raised in parliament. It is true that it proved impossible to resolve this issue at the time, but in any case, the fact that the problem was raised shows that it seriously worried the elite of Azerbaijani society.

In general, the policy of ensuring gender equality which the Azerbaijan Democratic Republic pursued in 1918-1920 shows that Azerbaijan displayed its allegiance to universal European and human values. It is good that this tradition was continued in subsequent periods. I would particularly like to highlight the 1920's under Soviet rule. It was in this period that administrative resources were used to ensure women's freedom. This should be regarded as a continuation of the policy of the Azerbaijan Democratic Republic in this sphere.

If we take a look at the ethnic composition of women studying in Azerbaijan's secondary schools before 1919, we will see that representatives of other nationalities, especially Russians, Jews and



Armenians, made up 92 per cent of students. However, one feature of the measures taken by the Azerbaijan Democratic Republic is that in the academic year 1919-1920, the number of Azerbaijani women compared to other nationalities sharply increased and rose by 42 times in a short period of time. Just imagine: great results were achieved in the space of only one year. The greatest result is that it proved possible to get Azerbaijani women involved in higher education for the first time, because in order to acquire higher education, they had to have a secondary education.

There was a definite upsurge and women were granted the right to higher education. When Baku State University was set up in 1919, the Azerbaijani government decided to increase the number of Azerbaijani women there. The only problem was that the choice was not so great.

It is true that the level of illiteracy fell among women. But despite that, special preparatory courses were organized to get Azerbaijani women involved in higher education.

At the end of my speech, I would like to say once again that the policy of gender equality conducted during the republican period and the expansion of women's rights in Azerbaijani society at large allowed them to become the leading and the most energetic force of society. From this point of view, I think that the widespread use of the policy of gender equality pursued by the Azerbaijan Democratic Republic would be very useful in terms of researching the causes of the present-day situation. I have kept my speech short so we have some time for discussion.

**Leyla Aliyeva:**

- Thank you very much, Kamran. I have learnt a lot from you that I did not know. Thank you for your interesting speech. It is

very interesting that politicians do not understand that if the potential of half of our society, I mean women, is not being realized, this weakens the state. Norway, Sweden and Denmark are among the world's most developed countries because there is gender equality there. Women occupy very important state positions there.

Just imagine how strong the Azerbaijani state would be if women's potential was used. Unfortunately, our people still do not understand this simple truth. Why is this? In Turkey, the name of the first female pilot is always being spoken of. But even if we had had a female pilot before they did, most people would not know her name.

Our first female editor was the editor of *Ishiq* newspaper in 1908. Female editors were quite rare even in European countries in that period. This is not just a historical fact. This also shows the real potential of our people.

I am wondering about one thing. When men in the 19th century made a great deal of money, not just at the state level but also individually, what do they spend this money on? For example, what did Tagiyev spend his money on? On opening a girls' school. It is very interesting that they were the standard-bearers of progress. They spent this money not on a school where women covered themselves up, but on schools that liberalized and Europeanized women. What is this money being spent on today? On the process of democratization or on the development of women? If you have questions or comments on the subject, please go ahead.

**Zahir Amanov:**

- Leyla, please allow me to give our participants some information about our guests. Leyla is a researcher and has recent-

ly carried out interesting research into the history of the oil industry. Esmira is the head of the Human Rights Resource Centre in the southern region. Sevinj is a leading fellow at the Academy of Sciences and is engaged in gender issues. Even though I am not introducing the participants one by one, I would like to stress that they are school principals, heads of women's organizations, heads of local committees, municipal chairs and journalists. That's to say most of them are self-sacrificing people who are dealing with women's problems. If anyone has something to say, please go ahead.

**Participant:**

- This is a wonderful subject. The most important thing is that it coincides with Independence Day. Today, men are our rivals. Men do not accept women. Let's not blame it on another state or government. Men are in government, at home and at work. Ninety per cent of top officials are men. Throughout history, they have not accepted strong women. But I have to say that I am the one who gave birth to that strong boy who is my rival, I raised him and I am a mother. Many people's mothers were uneducated. Personally, my mother had no education at all. She was only taught to write the first letter of her name so that she could sign when getting her salary from the collective farm. There was an illiterate woman at home who raised literate sons. Today and tomorrow, this burden falls on our shoulders. But when it comes to jobs, we are ignored yet we keep silent. Maybe it is our mindset that men and boys should be strong at home. In this way, we have given up our rights in favour of our brothers. We ourselves have raised boys who are the rivals of tomorrow's women. We always love strong men, but

men love weak women in order to control them. There are few men that love strong women. This still continues today and will continue tomorrow.

This is a process that is beyond our control. For example, I live 20 km away. I left my home, I am a mother and grandmother and I came here at my own expense. This is my inner desire. This is how God created me. But in my village, 51 per cent of the population is women. Would it be possible to get them to leave home and bring them to Arkivan? This means that the same applies to Masalli and everywhere in Azerbaijan, but I think it is wrong to mention only the southern region in this connection. I will never allow you to link this only to the southern region. I am even ready to argue with you about this. In the villages of Ramana and Surakhani outside Baku, ignorance and religious fanaticism are rampant. I must object strongly when you link it only to the south - Masalli or Lankaran. Every woman present here could be a minister. But I don't want to be a minister. I want to live today. It is a difficult time.

**Leyla Aliyeva:**

- Dear Goychak, Kamran just said that Khadija went door-to-door. You just said that no-one but you would come here. Why? Khadija walked from door-to-door and carried out a campaign. It is possible to involve these women in something, but no-one wants to do that. They even say that there are villages that are living in the Middle Ages.

**Participant:**

- I know this too, but it is wrong to link everything to the south. If you look into this, I call this an injustice. The gender



process is a process that goes on throughout the world. Men beat us throughout the world - both at home and abroad.

**Leyla Aliyeva:**

- Based on statistics, they say that early marriages are quite common here.

**Participant:**

- Early marriages are common in all regions, in the whole country and in the whole world. Excuse me, in Russia 12-year-old girls become mothers. The Russians are not exaggerating this. They say it is love and that love is free. If a 12 or 13-year-old Russian or Ukrainian girl cannot find a boyfriend, she says that she is miserable. When our girls marry, we make them miserable and report this in the papers. This is common throughout the world.

**Leyla Aliyeva:**

- If you looked at the programme, it says that there will be discussion both of the problems of the southern region and of Azerbaijan at large. Now, if someone has a question regarding Kamal's speech, please go ahead. I should tell you one thing. Our history is little-known abroad. I met a woman in America. She was a very well-known feminist aged 70 or 80. I was introduced to her at a meeting. I was very young then. I told her that I was from Azerbaijan. She looked at me and said: "In Azerbaijan, you probably have not even heard the word feminist." When I said that in our country, women were given the vote in 1918, she was astonished. It was a revelation to her.

### **Sevinj Huseynova:**

- I want to draw a parallel. If you listened to that report intently, you would have seen that Kamran spoke about very interesting things. For example, none of the districts of Azerbaijan had a woman like Khadija Talyshinkaya who fought for the Azerbaijan Democratic Republic, and this was in Lankaran. For example, Bayramalibayova - my house in Lankaran is next door - built a two-storey girls' school with her own money and appealed to Tsar Nicholas to obtain a license for that school. After a lot of trouble, that school was finally built and other girls' schools were opened in this tradition.

I would like to stress one thing. You said that men are our rivals. The Azerbaijani woman has always been renowned for her diplomacy. Why are you not making them your partners? I am addressing all women. Make men your partners. If you make them your partners, you will see that it is very easy to make decisions in tandem. Never look at men as your rivals. If men also look at you as their rivals, make sure that they become your partners, because society has two wings. Society can never exist without those two wings. If men become our partners, then our problems will be solved.

You know, the people who established the republic started changes from within their own families. That's to say they sent their daughters to school first, their wives did not cover themselves up and wore modern dress. For this reason, those who hold these ideas should start with their own homes and wives. The attitude should be the same. Imagine that Jafar Jabbarli forced his family - and his family was very conservative - his sisters-in-law, nieces and all relatives to take off their veils and go to school because he himself was writing the work "Sevil". He

wanted them to take off the veils to become an example to society. Everyone should start from their own home.

**Participant:**

- I looked at the programme and was irritated when I saw that it was about the southern region. We are denigrated as backward people everywhere. The south also has its own Khadija, its own scholars and teachers. If a Lankaran woman goes to Baku and gets an academic degree, this is our victory. This means that if a mother is educated, mankind will be educated. I do not deny that there are problems. You fight, we fight and everyone fights as best they can - both in the south and in the whole of Azerbaijan. I am asking you - when we hold a conference, let's take problems in a nationwide context.

**Esmira:**

- You know, the south is not considered to be backward here. This conference is being held here because what southern women think about these problems is interesting. What is their situation and what are their wishes? That's to say we have gathered here to discuss problems, not to prove that women of the southern region are backward.

**Leyla Aliyeva:**

- I should say that the coordinator of our project, Aydin Balayev, could not attend the meeting, but instead, he sent several copies of a book on the ADR. If you can read Russian well, you can take one. It is a unique book. Now I am giving the floor to a wonderful person, Esmira, whom I respect and love very much. I know that she is a fighting woman. I am very proud that I know such a woman in the southern region. Esmira please.



### **Esmira Turhida:**

- Thank you very much. You know, we have heard very interesting information about the history of the Azerbaijan Republic here. In general, when radical changes happen in a society, society always accepts these changes with great difficulty. We gained this independence, the people gained it. Though we call the Soviet region authoritarian, when we became free from that regime, people did not want to part with it of their own volition. Today there are still people living with Soviet stereotypes and they want this regime to be restored. It takes time for changes to take root in society. Such processes of innovation have their effect on families, society and women, of course.

What did our society gain or lose from the independence of Azerbaijan? As public figures, we also put these questions to ourselves. That's to say, what did we achieve? I work as a teacher. I have been engaged in public work since independence and work with Lankaran and southern women. When I look at society, I sense indifference, a sort of hopelessness and passivity in people. You have all probably encountered people who are hopeless and indifferent to the developments going on around them. Of course, this has its effect on women.

In Lankaran, women comprise 49 and men 51 per cent of the population. We have 519 refugee families living here. I want to give you information about Soviet times. You are all aware that there was a textile factory in Lankaran at the time. There were butter and milk-processing factories, carpet-weaving workshops, a cannery and a tea factory here. Most of people working in these enterprises were women. The existence of these jobs really educated women. Even though they had not graduated from university, these enterprises were dominated by a

spirit of collectivism, mutual aid and concern for people's problems. That's to say people were closer to each other. Our women worked on themselves. Women who had not gone to school had the chance to continue their education at evening school. Even if they married, they still continued their education at evening schools and by correspondence. This had a great effect on the family and children's upbringing.

I should say that the cultural level here also rose. You know that we all worked at the time. Great measures were taken in the sphere of education at the time. These had a great effect. However, when privatization began after independence, these enterprises came to a standstill and the condition of the tea plantations in Lankaran was artificially made deplorable. Land was distributed to the people. However, since the population could not get technical assistance from the state, they could not use that land. Men went to Russia and women started commercial businesses because they had no other option. We cannot deny this.

You and I are publicly active. However, this does not apply to all women, because today family problems have come to the fore. Women have to support their families without men and are forced to make a living somewhere. Though our region is a district of fruit and vegetables, we are forced to import fruit, vegetables and food products from neighbouring Iran. This is an issue that we are all aware of.

All these factors have a great impact on the family. Children raised here are without control. You just rightly noted that wonderful people have been raised in poor and uneducated families. But we have to take into account that at that time, society had moral laws and spiritual values that could not be violated. Today the situation is completely different.

We compare everything with the past. I work in a school and I know that schoolchildren are forced to support their families. There is no job, no father, and the mother is in dire straits. There are serious age limits for women at work. I do not agree with this because they come and say that they need women aged 25-35 with computer skills. It is very difficult for women who do not meet these requirements. We expect those women to be active. There is a great responsibility on their shoulders today.

Leyla cited an example of gender equality from Scandinavia here. They tell us that if a woman is strong, she can achieve this herself. It is true, there are strong women in Azerbaijan, but let's see whether these strong women can take their positions. They can't. This means that the state plays a great role here. The state itself should open the way to women. I once spoke to a woman academician in Baku, and she was unhappy about why women cannot fight for their rights and goals. But I could not tell her that she had been appointed herself. If you had not been appointed, you would have never achieved this position. This means that the state itself should open the way here.

I have nominated myself for parliament twice and I was elected. People in Lankaran gave me great support, but the information I received from electoral commissions later showed that I failed to even pass the barrier. Finally, I told those electoral commissions - I am a teacher, how come that not even 500 people voted for me here? I have been working as a teacher in Lankaran for so many years. We have strong women who have nominated themselves for municipalities, but did not get elected. They were elected, but failed to pass the barrier. They were not given this opportunity.

For 17 years now, we have been working with women in regions and we don't want Lankaran women to always need

someone's support. We want them to be publicly active, that's to say to understand their rights and to be able to fight for them. However, if a woman does not educate herself, it will be difficult for her to take her place in society.

Teachers and doctors are funded from the state budget. This is the case in Lankaran and Masalli as well. But what should unemployed women do? Let's agree that the state is not helping women in this at all. Let's take social security. Women come to us to complain. There are women who have had their roof falling on their heads. They say that they are not included on the list without a bribe. But women who live in better conditions get social security. We should also mention how many difficulties state officials are creating.

Let's take the health system. Television says that healthcare is free in Azerbaijan. But a patient who visits a doctor, even one who is on his deathbed, will not get free help from anyone. Infant mortality is very high in Lankaran, and we should be aware of this as well. If we do not see this and criticize it, we will not be able to establish our work in this sphere.

Let's talk about early marriages. Like Goychak, I also sometimes say that it is common everywhere, but only the southern region is accused of this. Let's take a look at the situation. Why do our girls marry so early? The number of such marriages is constantly increasing, even though the issue is under the control of the state women's committee. What is the reason? We always identify the effect not the cause. One reason is linked to the economic situation. I work in a school. A mother says that she cannot find shoes and clothes for her child and cannot send him to school. I have even spoken to a woman whose children grew up in a children's home because of poverty. She even

brought her daughter to me. I spoke to that girl for a long time. Her mother could no longer cope with that 15-year-old girl.

You know, children also get fed up with the situation in their families. Excuse me. It looks like they are running away through marriage. That's to say, a child grows up in a family, sees these difficulties and wants to improve her life through marriage. I tried to explain to that girl that she was too young to marry. She was not ready for family life either physically or morally. She said no, I will get married.

Apart from economic factors, there is some rivalry here. Believe it or not, we went to a village in the district and girls who were in the 11th grade there were already regarded as old maids. Girls get engaged when they are in the 7th or 8th grade. I don't know what it is like in Masalli. But in Lankaran, there are early marriages. But not all girls are trying to enter into early marriages. There are even girls who commit suicide for this reason, however.

You see, we now have ecological problems. These ecological problems are having a very negative impact on our women's health. For example, sterility is one of the consequences of those ecological problems. I often talk to doctors. They say that even schoolgirls have such diseases and we cannot deny this.

**Participant:**

- But we are not able to prevent this.

**Esmira Turhida:**

- Even if we are not able to prevent this, we should inform society, parliament and the state about this. Two villages in Astara complained to us about malaria. We published a factual



article in Azadliq newspaper. Our representative carried out an investigation there for a long time. That's to say we do not write anything without reason. Believe it or not, the chief doctor of that area phoned us and asked us to publish a denial. We said we would not publish a denial. Now malaria has been eliminated in those villages. That's to say we had enough power to do this.

**Participant:**

- These things happen to us because we don't know our rights. Eighty per cent of us are like that. We cannot demand our rights. The official sitting there is using this. What are we to do?

**Esmira Turhida:**

- I would like to reiterate that as an organization, we are carrying out educational work with women in Lankaran. We are not working only with early marriages. We are trying to ensure that women take an active part in the elections. In Lankaran, there are still families that do not allow women to take part in elections. That's to say we have to be aware of this as well. It turns out that women have no electoral rights. Men collect the passports of all family members and vote for everyone. We are carrying out educational work in this regard in Lankaran.

We cannot say that we have created something in Lankaran and everything is fine. But we are taking things one step at a time. As an organization, we hold seminars on women's marriage rights. In this connection, we have invited representatives from Baku. Our organization is giving free aid to women. We help and support women who have to appear in court. You know, too, how difficult it is to get a fair ruling from a court.

**Participant:**

- Today the courts are working for those who have money. If a man has money, the woman sits at home with five children and has no idea that he is divorcing her. Then suddenly she realizes that her husband has divorced her.

**Esmira Turhida:**

- I want to touch on one issue. At the school where I work there are female teachers with higher education who are not interested in anything. But there are also women without higher education who have been working side by side for years. They have done more work for society than those educated women. In other words, we have to understand that activity in public work is not linked to education. You know, there should be love for one's fellow countrymen or rather love for people here.

To be frank, there is no women's centre in the region. Many people say to us - Esmira, how come there are tea houses for men, but nothing for us? We can only see each other at wakes. Indeed, women do not want to leave wakes. They establish communication in such places, learn from each other and pass on what they have learnt. This is a wonderful job.

**Participant:**

- Excuse me, a good centre was set up in our village recently. We had wanted such a centre for a long time. And many thanks to Mr Amir for creating this centre for us by the way. God willing, you will see that it is a wonderful room and we have many women there. I make one phone call in the evening and at least 10-15 women gather there next morning. We talk about our attitudes to various issues and seek solutions. This centre is still taking its first steps, but I know that it has a great future.

You spoke about young people. There is a computer course there. Of course, our women bring their children there. I would like every village to have such a centre. Teacher Goychak is the head of the Women's Council. I would always ask her to join forces with us and set up an office for the Women's Council. But we meet only at our meetings and cannot even talk to each other properly. She also says that women have so many problems that we cannot overcome them.

But we have already taken that step. We are ready to meet women. It is not as if we will definitely resolve some of their problems. We will listen to them, show them the way if possible and try to help them. As a representative of a non-governmental organization, I feel that the municipality has thrown its weight behind us and I wish that every village could have such a centre.

It is good to provide women with legal education. But we would like this education to start from school. I am concerned that it is impossible to involve the teachers that you just mentioned in this work. Personally, I regularly go to the school, find the teachers and even get them together in one room to say that they are indebted to me because they have higher education, while I don't. Maybe we will need something from history - we will look into this; or maybe we will need something from literature - we will look into this. At my age, I can even go and study computers. But I have no time. I should whet a scythe sometimes to make my living. It is very difficult to make a living in our region.

It is very difficult to involve women. I doubt that they are educated. The level of school has fallen sharply. School is our sore point. You mentioned history. History regularly raises and lowers people. It seems to me that time has lowered the teach-



ers working at our schools. They have forgotten about school and education. Since their salaries are very low, they are all involved in household issues. They seem to be indifferent to school. This has already made them housewives. They even teach lessons at home.

The women of the southern region have always been the most hardworking women. One person once said that there is no smile on the faces of Masalli women, because they have no time to enjoy themselves. They have always done physically hard work. We had a very big family and found a way out by marrying one of the girls off in order to reduce our burden. There were three sisters in our family. Instead of my big sister, they married me off to reduce their burden.

**Esmira Turhida:**

- Allow me to interrupt you. In Lankaran, the number of divorces has risen. We work with the courts and receive this information from them. If last year there were 110 divorces, the this year there have already been 130 divorces. I agree with you that schools are often shut. Recently, a person named Alasgar came to see me. He said that he had gone to school, but the school was shut. I am not saying this without justification.

**Participant:**

- Please, give me the floor. I am a school principal and I am well aware of the problem. Things will get worse after teachers of the old generation quit their jobs. This is just the start of it. I mean, from now on, those who leave school will not even know where the school is. You touched a raw nerve with me. I have been working as a school principal for 25 years. It is nec-

essary to identify the roots of this problem. Those who cannot cross the 200-point barrier become teachers today. Those who set up the Azerbaijan International University are unaware of whether they set it up for their own pockets or something else. What I mean to say is that they have come here to teach our children. Imagine that when I attend lessons by some young teachers, I hate being a teacher. I visit many schools for inspections and see where we are going. Education is a very creative sphere. For this reason, I do not blame parents. For example, this year 55 children will complete the 11th grade, and only 19 of them have applied to universities.

We do not have enough specialists to teach children. For this reason, it is necessary to carry out an urgent evaluation. In fact, evaluation is not a solution either, because if teachers are fired, there will be an army of unemployed people.

### **Leyla Aliyeva:**

- Loyalty in the administrative system is based on the principle: the less educated you are, the less independent you are. In other words, you are afraid to say anything. The strongest control is at schools and in the health system. Who takes part in official ceremonies? Teachers and doctors, because people, who got their position not due to their qualification, but to their loyalty and they strictly depend on the state positions and salaries.

Secondly, I have something to add to your comments on education. Things do not end only with education. The problem of activity comes next. What I mean is that if you acquire knowledge and understand the way out, you should get involved in civil actions from now on. The third stage is the most important

organizational stage. The more people who join forces and work, the greater the effect will be.

One point in Kamran's speech really pleased me. He said that women's movements started taking shape in Azerbaijan in 1918. Why is that important? Because in our country freedom always seems to have been given to women from above. But in other countries, women fought for their freedom from the bottom. And men were forced to give them freedom. As a result of a far-reaching feminist movement, they achieved their freedom. There is a real difference here.

For this reason, it is a very important fact that the same movement began in Azerbaijan. The most interesting thing is that we had equality for 70 years, but we have regressed in the last 15 years because the freedom that the Bolsheviks gave us in 1920 was granted from above. That's to say, women did not fight for their freedom. I mean - education is only the first stage. The second stage is definitely activity. That's to say, nothing will come from simply sitting and waiting. You must fight yourselves. You cannot do anything alone. If a women's movement does not take on a mass scale, it cannot be effective.

Don't lose heart. Women can do everything. Let me tell you about an interesting fact from my own biography. There was a man called Isakhan in Lankaran and he was my great-grandfather's brother. His son, Sabir Alibayov, was my grandfather. Under the Soviets, he was arrested and my grandmother was left to her own devices with seven children. My grandmother was from the Qarayev family. She was from the village of Fatmai outside Baku. Her education at the Tagiyev high school saved not only her, but also her seven children. She raised her seven children by working as a teacher in the districts. She taught

mainly in Masalli villages. In the late 1930's and early 1940's, my grandmother Masma Alibayova worked as a teacher and even a school principal.

Gulrukh Alibayli is my mother. I don't know whether you have heard of her or not. Along with her mother Masma, she taught Russian in a village in Masalli at the age of 14. Her big sister, Khanymana Alibayli, was a children's writer. She died recently. Khanymana's was a doctor by education. She went to distant villages even at nights on horseback to see her patients. Thus, our family has interesting memories of Masalli villages. Next time I come here I will try to investigate this and find the school where my mother worked. I would now like to give the floor to Sevinj Huseynova. Sevinj is a well-known academic, works at the National Academy of Sciences and is also a public figure. Please, Sevinj.

**Sevinj Huseynova:**

- I am very glad to be here with you. When choosing a venue for the conference, Leyla was hesitating between Lankaran and Masalli. I advised Leyla to choose Masalli because there are very active women here. Today's event yet again proves this. I am very glad that I was not mistaken. I had visited Masalli before and I knew that local people are very active in public-political life.

Kamran spoke very well about the history of Azerbaijan. I attach importance to history because the following processes are taking place based on history. If a house does not have a foundation, it will collapse. A lot depends on the strength of the foundation. I would like to point out that since the Azerbaijan Democratic Republic laid that foundation in its time, when the Russians came here and occupied this place they could not turn Azerbaijan into a region of Russia like Dagestan. Azerbaijan was



incorporated into the Soviet Union as an allied republic. This is very important.

Of course, there was a Soviet space. It is very interesting that women comprised at least 40 per cent of the Supreme Soviet in that Soviet space, even though it was compulsory. You know that the Supreme Soviets were of little importance, because they held meetings once every six months. At that time, the main body was the Central Committee. It is very interesting that even though women comprised 40 per cent of the Supreme Soviet in Soviet times, there was only one woman on the Central Committee. It was absurd, because women were sent to the Supreme Soviet just for show.

**Participant:**

- They sent dairymaids there.

**Sevinj Huseynova:**

- Of course, because a woman intellectual would go there and become a dissident. Thank God, that time is over and we gained our independence in 1991. It is true that we expected too much from this independence. Unfortunately, our expectations were disappointed. But I should tell you that women should have great rights in a normal society.

The first part of the speech is dedicated to legislation. In 1776, there was a movement of "suffragettes" in France and the women of this movement issued a declaration about their rights. Those women were arrested and later hanged. Despite all this, that declaration was accepted in 1881.

You know, the UN adopted the Universal Declaration of Human Rights in 1948 and one part of it is dedicated to

women's rights. The convention adopted in 1951 shows that if gender equality is violated in a country, a woman from that country is immediately given refugee status. I want to tell you one thing: after our Azerbaijani state gained its independence, it joined every convention, including the convention of 1951. This is a very important document, because after the adoption of this document, the UN set up a special committee and every country that signs up to this document must prepare a report on the situation of women and submit it to the UN every two years. The UN discusses these reports and assesses the situation of women in those countries.

Apart from that, in 1992 Azerbaijan joined the convention on women's political rights. What is the importance of joining these conventions? After joining these conventions, every state must adapt its legislation to these conventions.

In 1998, Azerbaijan adopted a law on women's rights and the president issued a special decree. After that, a committee on women's affairs was set up in 2000. I should note that in general, only Azerbaijan has set up such a committee in the South Caucasus. The duty of this committee is to submit reports on the situation of Azerbaijani women to the UN every year. These reports are accepted by the UN in two forms: one is the government's report and the other is a report submitted by independent experts. Then they are compared. That's to say, international organizations are protecting women through legislation in this way.

Finally, in 2006 Azerbaijan adopted a law "On gender equality". I have read that law very intently. Of course, the law has been adapted to international documents. But the law shows that violence against women in the family is the internal affair of that family. Because of this sentence, the law becomes tooth-

less. But in fact, this should not be the case, because in America, for example, this is not the case. If violence happens in a family there, this becomes society's affair. That's to say you can call the police and report that a man is beating his wife somewhere and the police can legally come there and take the woman to a crisis centre.

The subject of my report is women's role in society in the post-Soviet area. Women's role in society becomes important when the level of poverty is low there, laws are effective and freedom of speech and political liberties are protected by the state. If this is the case, of course, women will develop and women's unions and organizations will develop. At the same time, women become engaged in political life in a very active way.

Someone said here that in 1918, women were granted the right to vote and be elected. Imagine Azerbaijan's situation in 1918. Those women wearing the veil, prejudice and the strong influence of Islam, and there were so many progressive women there. Girls' schools were opened. Very hard work was carried out to open girls' schools. Imagine that parliament adopted a law on the opening of girls' schools. This was a very important issue.

Article 25 of our constitution says that all people are equal regardless of race, sex, age or ethnicity. They take this article as a basis and discriminate against women. If everyone is equal, does it matter if it is a man or a woman? But all conditions should definitely be right for women to take up their position and play a role in society. If the conditions are not right, women will not be able to play a role. They will not even be able to be mothers.

The decree on the establishment of a women's committee in 2000 raised the issue of women's political rights and involvement in special administration in a prescriptive manner. But

unfortunately, women's representation in special administration is very low in our country. For example, there were only one or two women heads of local executive authorities until 2004, but now there are no women among them. According to that decree, every head of executive authorities should have one woman deputy. This is just not the case today. The executive authorities should definitely have one person dealing with women's problems.

Last year, we carried out monitoring and saw that men are dealing with this in most districts. Men dealing with women's problems. It is a good job that men have no ambitions to run maternity hospitals. Look at the situation in schools and education now? Most of the teachers are women. But now let's look how many school principals are women. Almost none. Or in the health system; women are in a majority, but all the chief doctors are mainly men. Bilateral efforts must be made to eliminate this situation. The state should have an interest in this and people should fight for their rights.

The woman just now said - we are helpless, what can we do? I'll give you a simple answer. The municipal elections are approaching. You can set up a women's movement called Municipality-2009. For example, you can find out how many women want to join municipalities. There are more than 22,000 municipality members in Azerbaijan. Only two per cent of them are women. If you want to see active women in municipalities, set up a movement called Municipality-2009.

Only a country where women comprise 25 per cent of parliament's members is accepted into the European Union. That's to say this is one of the main conditions. But in most European countries, women comprise 40 per cent of MPs or even more

than that. This testifies to the social situation of a country and the level of democracy there.

In our parliament, women comprise only 12 per cent. Previously, the figure was 10 per cent, and now it is 12 per cent. There are only 14 female members of parliament in Azerbaijan, though the number of female candidates was much higher. The fact is that such a smear campaign begins that a woman cannot stand that campaign and drops out. Another issue is that monitoring shows that even our democratic and independent newspapers give little prominence to women's campaigns. Open any independent newspaper. All the pages are full of men. Sometimes, you can see a nice image of Leyla Aliyeva in a newspaper. And that's only once a year. Also, you can see a picture of rights campaigner Novella Jafarova, for example.

The point is that the state should have an interest in women's participation in politics. For this reason, many countries are allocating a quota to them. If it is difficult for a woman to get elected in those countries, women are given a quota there. This is a very easy method. For example, there is a quota for women to make up 30 per cent of parliament. And you women fight for that quota. Goychak, there is no point in just talking. What is needed is a quota and we must fight for it.

You can get a quota. If you are really strong women, turn this into a movement. There is no political process here. Say that you want women to comprise 20 or 30 per cent of municipalities. If you are strong women, do so. If the initiative for this is taken in Masalli, it may spread to the whole of Azerbaijan because women really want to work in municipalities. Why? The municipalities have great powers. If the municipalities truly get involved, there will be strong administration. The municipality is



also a workplace. A woman will work there and receive a salary. This means that 30 per cent of women will get new jobs.

We think that we are doing our jobs just by sitting here and complaining. We should fight for our rights. This issue should definitely become a reality. In that case, women will move forward in politics as well. But you should organize yourselves. Leyla was right when she said that you have to come up with an idea and organize yourselves.

**Participant:**

- I raised this issue with the New Azerbaijan Party a couple of months ago. You should support us.

**Sevinj Huseynova:**

- You know, in the New Azerbaijan Party there are mainly appointments like in the old Soviet regime. That's to say, they say they nominate someone but in fact it's an appointment. They are appointed and we all know this. This is the reality of Azerbaijan.

I would also like to touch on the issue of early marriages. You know, international organizations are working here and are carrying out surveys. Many women's rights campaigners in Azerbaijan are working here. This problem exists in the southern region and other regions. For example, I was shocked by the early marriages in Quba. But we don't want to admit this. Even Azerbaijani officials report that the level of poverty in Azerbaijan is below 85 per cent. That's to say the level of poverty is 85 per cent. Some 85 per cent of people live below the poverty line. Early marriages are natural in a place where there are people who live below the poverty line.

Why are early marriages a difficult issue? Children born in early marriages are not officially registered, and I apologize, they become illegitimate children. Last year the UN published a report, and I was shocked by it. You know that this runs counter to our way of thinking. An illegitimate child is a tragedy for Azerbaijan. The number of illegitimate children in Azerbaijan is 25,000.

On the other hand, if a child is not registered, his mother has no rights. What is that young mother doing? She bows her head and becomes a slave, because she has to do whatever she is told not to be kicked out of home. Apart from that, there is another problem with early marriages, especially in Azerbaijan. Usually, girls who enter into an early marriage are 15 years younger than their husbands.

**Leyla Aliyeva:**

If someone has something to say, please go ahead.

**Participant:**

I would like to touch on the issue of early marriages. This issue was entrusted to territorial legal representatives. A list of all engaged girls was made in the village. Those who had early weddings were punished and the weddings were postponed throughout the year. Two or three years ago, a village teacher informed us on the day of the wedding. The wedding was prevented on that day. What I am trying to say is that we visited every school in the course of three months. We worked mainly with the list. We marshalled the girls and gynaecologists, and spoke to them about the negative consequences of early marriages. We were authorized to talk to the girls openly in the presence of the gynaecologists. For example, a 15-year-old girl

marries a 25- or 30-year-old man who lives in Moscow and has a house and a car. But nobody knows what diseases the man has and whether he has another wife there.

One person told me that a 14-year-old girl was getting married in Astara. I went to that wedding and spoke to the girls' mother. Her mother was angry with me and said: she is my daughter and it is my business. But two years later, it emerged that the man had another family in Russia. That woman's daughter has been living in her husband's house for two years and working as a servant for her mother-in-law and father-in-law. After that, the same woman told me that I had given her the right advice and that she had made a mistake.

However, such cases are common not only in the southern region. Earlier they said that early marriages have become more frequent in Quba, Qusar and villages surrounding Baku. For this reason, when you talk only about the southern region, it makes a bad impression on us. We are campaigning and carrying out our training sessions. You should know that we are doing something. Indeed, territorial representatives are very active and give us lists of girls who get engaged and are planning a wedding. In other words, everyone is helping the district leadership and commissions.

**Participant:**

We have a kindergarten in the village of Shikabar. I myself went to that kindergarten. My teacher took me by the hand and taught me how to write the letter "A". My child is six years old and attends a preparatory course at the Miyankut school. I am not talking about proper school, I am talking about a preparatory course. The child goes to school and says that the teacher wrote the letter "A" and left. If you want to, you write it down,

but if you don't, you don't write it down. This is not possible.

I am not criticizing the Miyankut school. There are good children there. Miyankut has the highest number of intellectuals in Masalli. It is a small village, but there are many intellectuals there. I am not criticizing the school. I am talking here about the preparatory course.

I would like to raise one more issue. Someone said that 14-year-old girls are getting married. You blamed those girls, but in fact it is not their fault. I would like to cite one example. There are mothers who tell their daughters that someone's daughter is getting married, but you cannot find someone for yourself. Get up, go to that village and find a boyfriend. If her mother is saying this, then what should the girl do?

My mother would tell me that when you go out, don't look back. If you do, a boy will follow you. Now I am telling that girl that I saw her in that village and that she was wearing bad clothes - don't go to that village if you dress like that. A mother tells her daughter - why don't go and find a husband for yourself?! It is not the girls' fault, it is their parents' fault. All children, from the first to the 11th grade, are walking around with telephones. It is their parents' fault. My neighbour bought a telephone and gave it to a three-year-old child. I am 25, and I've only just bought a telephone. How can you buy a telephone for a three-year-old child?! These children take their telephones to school, open the Bluetooth and download this and that. It is not the child's fault, it is his parent's fault.

**Zahir Amanov:**

Leyla, this subject has affected all of us. Miyankut, which this lady mentioned, is in fact a remote village situated around 20 km



from the district centre. This village really has acute problems. The next participant is from another remote village. We did not want only those from the centre to be here. Let him have his say briefly and then the floor will be given to other speakers.

**Participant:**

Very important issues have been touched upon here. I am a painter, but I am more closely linked to the military. I would just like to say briefly that we should not look for someone to blame for problems. It is the government that is to blame. Do you know where it comes from? We lost Shusha. There was someone in charge there. To this day, nobody has asked him what he was doing there. You were in charge of that territory. How come Shusha is gone? After Shusha was lost, he was upgraded to general. What I mean is that we cannot forestall events. An event happens, and then we chase that event. Recently, right before our eyes a major incident happened at the Oil Academy. The police arrived long after the incident. It is necessary to forestall events, not follow them.

You spoke about the issue of the veil just now. I have visited many countries of the world. Let's not go too far. You go to Moscow and see a woman wearing national dress and attracting everyone's attention. If she wears a turban, you know that she is Uzbek. In other words, you can identify someone's nationality by their clothes.

Now we are saying that we tend towards Europe. Is Europe telling us to give up our national dress? No, it's not.

Boys grow up and some of them go to university and others to the army. When they return from military service, it becomes clear that nobody needs them any more. And the kid is forced to leave for Russia. Do you think life in Russia is easy? I've been



to Russia. It is very difficult there. There is the problem of documents and registration and it is necessary to find accommodation and a job. A sergeant stops you on every corner, beats you up and causes all sorts of trouble for you, but you cannot even say anything because we are nobody there. A boy is forced to marry a Russian girl.

**Participant:**

If that young man had the chance to open a small shop here, would he leave?

**Participant:**

Of course not. I just said that the current authorities are to blame for all these problems.

**Participant:**

I am from the union to help disabled children. We are talking about women's rights, but the state has not created any scope for women's rights. It is impossible to involve women in anything today. During the elections we could not find a woman to include in the commissions. I have been engaged in politics since 1992. When we nominated women to constituencies, they turned it down. This stemmed from the psychology of the women themselves.

Education among women is very weak. Let's not blame the state for early marriages and other things. Is it the fault of parents?

**Participant:**

We have listed problems, but nobody is proposing a way out. Esmira spoke about the situation in Lankaran. The situation in

Masalli is even worse, because Lankaran has at least three institutions of higher and secondary special education. Thirty per cent of Lankaran women continue their education there after they leave school. But in Masalli, there is not a single professional school where girls can go after they leave school. When girls stay at home, their parents marry them off in order to reduce the number of dependants.

Second, I have to say one more thing. We have been talking about problems related to women. Who is to blame for early marriages? I think both sides are to blame. When I say both sides, I mean the authorities and the public. We are conducting a campaign. The title of the campaign is as follows: "Dad, send me to school, not to a husband". But we are not allowed to hold meetings in villages. Neither the public, nor the authorities want this.

Though early marriages are illegal, the divisional inspector comes to the wedding of a girl who marries too early and has a good time. It is not just the authorities who are to blame for this. The authorities' fault is only that they are turning a blind eye to this fact.

### **Participant:**

Everyone says that no educational work is being carried out among women. But the problem is that if a woman does not have education and does not even know the alphabet, will she pursue education or listen to a scholar or academic? They first hurried to change the alphabet. I have made some observations and found out that people over 18 do not know the alphabet.

I remember that in Soviet times, illiterate people were taught the alphabet. Why isn't the Latin alphabet being taught to those over 18 now? Those who do not know the alphabet cannot raise

children and understand what society says. Women are an ornament to this world. Zahir Amanov criticizes shortcomings in his newspaper. If someone listened to him, Masalli would be a paradise now. They say children are our future. In Soviet times, there were pioneer camps. Why aren't there any camps now?! Are we not entitled to revenues from the Oil Fund? I don't want such independence. If children are our future, how can it be so hard to raise them? If things go on like this, we will be forced to recruit foreign soldiers for our army. We are also entitled to oil revenues.

**Zahir Amanov:**

Leyla, let's give the floor to the next participant. He supports his three sisters and three daughters. None of them is working.

**Participant:**

I graduated from university. I have been unemployed since 1994. I have three daughters and three sisters. They all live with me. Under the Soviet system, my sisters worked on a state farm. Now they are unemployed. My daughters have not been able to find a job since they left school. The president says that I am with my people, but this is not true. His entourage does not allow anyone to approach him. When the president was in Astara I tried to pass him a letter, but it was impossible and my letter was stolen. Some people do not like what I am saying. Three heads of the executive authorities have changed in the district. None of them listens to me. When the president came to Yardimli, I tried to pass him a letter. In return, I was taken to the police station. If I cannot find a job for my three daughters and three sisters, how can I find bread for them? I am happy that this conference is being held here and we can talk about our problems.



**Participant:**

First of all, everyone should be given an explanation about such events. We are not going to arrest or punish anyone. We have spoken about our problems here. There is the state and the government, and problems will be resolved sooner or later. After the conference we should appeal to parliament. The municipal elections are approaching. We can get a quota. Let's send a letter to parliament and express our dissatisfaction. We have visited seven regions. It is necessary to write about these problems so that someone deals with them. Our deputies should be active. And in the future, we should elect more active and better deputies.

**Zahir Amanov:**

We blame each other too much. I want to touch upon a couple of issues. We are not observing rules either. I want to talk about the marriage of minors. Under Soviet rule, those who did not have state marriage were not allowed to have a wedding. No parents allowed their daughter to marry without a wedding. You have been abroad too. Newlyweds are given money, a car and a house there. Is our state so poor that it wants five manats for a wedding? The registry office adds another 10 manats to the wedding fee. In order to submit an application, you have to go there several times. Is it impossible to simplify these rules and give money to those who marry without charging them any fee? There are a lot of proposals, but they are all related to material problems. There are representatives of government agencies here. So let's find out, for example, how many unregistered marriages are there in the village of Arkivan, and how many teenage girls have died because of such marriage.

The adoption of the Latin script was very important. I give a newspaper to an elder and ask him to read, and he tells me that he does not know this alphabet. It is possible to organize courses, but if each of us learns one letter a day, we will learn the alphabet in one month. While in Georgia, I saw a beggar. He was begging in Georgian. I asked him how much money he wanted from us. As soon as he learnt that I was Azerbaijani, he started begging in Azerbaijani. I asked him in how many languages he could beg. He answered 12. I joked - I have a company, I will pay you a salary of 300 dollars, just don't beg. He answered: "When I beg in English, I get 200 dollars a time."

### **Participant:**

Everything depends on decisions. We live in this state and must follow its rules. According to the law, it is illegal to marry if you are under 18. When I asked the chief of the main investigation department of the Masalli police department whether something like this had ever happened, he told me yes - a lot. Have any of them been arrested? He said no. If someone marries one day before they turn 16, it is a crime, and if they marry one day after they turn 16, they say she is grown-up and can marry. The reason is the lack of education and backwardness. We have spoken about schools and teachers today. I have been working as a teacher of literature since 1974. Initially, there were 11-12 institutions of higher education. Now there are about 45. But still, there are not enough teachers at schools. However, our state does not acknowledge this. Some people get arrested because they tell the truth. For example, Asif Abbaszada was arrested and Parviz Azimov was expelled from university. I was fired at the request of 80 teachers because I

told the truth. Any of the 54 teachers like me can take the floor and speak openly! But they are not doing so.

**Leyla Aliyeva:**

I would like to answer some questions. First of all, parents should not be happy that their daughter is getting married too early because a woman can be left alone in life and raise her children alone. If she is not educated, what will she do? How will a mother raise her children if she does not get some benefits from the state? A woman has to rely upon herself first of all. If she is without education and knowledge, she will encounter many problems in life. A woman can marry an intolerable, rude and useless person. In such a case, if she does not rely upon herself, she will have to tolerate this man's oppression all her life. When I worked in Norway in 1996, Heydar Aliyev came there on an official visit. I went to the official reception in his honour. I had never seen him so bright and friendly. What was the reason? He saw that in Norway, women are occupying many important posts, and this made a big impression on Heydar Aliyev. But within our delegation, there were no women other than interpreters.

When I hear someone's ideas about the low level of people's development and their lack of readiness for reforms, I always cite one event as an example. When I spoke to a villager in a district, I asked him: "Will our situation improve once we get the oil revenues and will everyone be able to get a good education?" He answered me: "No, I don't believe this, because if everyone is educated and rich, it is of no benefit to the state. It is easier to control an uneducated and poor person." This applies to women as well.

## **INDEPENDENCE OF COURTS: PAST AND PRESENT**

**The town of Balakan  
27 June 2009**

### **Leyla Aliyeva:**

- We would like to welcome you all. First of all, I would like to give you some brief information about our project. As you can see from the programme of the conference, the project of the Centre for National and International Studies is dedicated to the 90th anniversary of the Azerbaijan Democratic Republic, and it is no accident that its coordinator is the well-known scholar and historian Aydin Balayev. We have already held seven conferences on this subject. Our first conference was held in Shaki. But we are holding conferences on different subjects in each district. The subjects of these conferences have been analyzed and compared in both the historical and modern context. Azerbaijan's progress and regression in the last 100 years has been identified.

Azerbaijan has a very rich history of democratic development. Among Islamic countries, we are the first and only country to set up a European-type parliament and grant women the same rights as men. In some European countries, in France and Switzerland for example, men and women were granted equal rights only in the 1950's and 1960's.

I would like to give the floor to Aydin Balayev now. He will say a couple of words about the subject, and then, our first speaker, a department head at the Academy of Sciences, Haji Hasanov, will make his report.

### **Aydin Balayev**

- First of all, I would like to thank you for coming here. Our subject today is the court system of Azerbaijan. The first report will focus on the history of courts in Azerbaijan. The second report will focus on problems in the court system in your region



and the third report on reforms carried out in the courts after Azerbaijan regained its independence in the early 1990's. I would like to remind you of the timetable - each report will only be 15 minutes. There will be a discussion after each report. I would ask the speakers to adhere to the time limit. Now allow me to give the floor to Haji Hasanov.

**Leyla Aliyeva:**

- Haji is the author of about 100 articles and academic works. He is a department head at the Institute of History of the Azerbaijani National Academy of Sciences. He is one of the major experts on the People's Republic in Azerbaijan. He has made interesting reports at some of our conferences.

**Haji Hasanov:**

- Thank you. I would like to welcome you all. Thank you for coming here on this hot day to listen to several people who have come from Baku. The subject of our report is the court system in Northern Azerbaijan in the 19th century and in the early 20th century. We will also take a look at Azerbaijan's court system under the Azerbaijan Democratic Republic. I will try to cover this issue briefly in my 15-minute report. With your permission, I would like to talk about Azerbaijan's court system in the tsarist period and briefly characterize the courts from the middle of the 18th century to the 1830's before Northern Azerbaijan was occupied by Russia.

Contrary to misperception about there being no strong and stable legal system in Azerbaijan and in the Muslim East at large, I would like to say that law has a very ancient history in Azerbaijan and Muslim countries. The roots of Muslim law in

Azerbaijan go back to the 7th century. Azerbaijan had very deep democratic and legal traditions. This manifested itself in the court system of the khanates which existed in the second half of the 18th century. During the time of the khanates, the court of first instance was the village court which operated in every village, but was not well-organized from a legal point of view. The village courts normally included the village headman, commander, cleric and several village elders. These courts examined all offences in the village and then passed their verdict. In rare cases, if someone was not happy with the decision of the court, they appealed to the khan's council, that's to say the absolute monarch, the khan, who had the final say on legal matters.

Along with these three instances - the village court, the khan's council and the khan as the supreme judge, there were also Shari'ah courts. The Shari'ah courts claimed the role of courts of last instance that examined marriage and divorce issues, inheritance, property and guardianship and carried out these functions comprehensively and categorically enough.

In general, the court system that existed in Northern Azerbaijan during the time of the khanates in the 18th century and under tsarism had several common features. The most important feature was that no records were kept in the Azerbaijani court system at the time of the khanates. Another important feature of Muslim courts in Northern Azerbaijan was that they were extremely short and quick. In other words, a trial took just one day or sometimes only a few hours. In rare cases, when a ruling was not accepted by the plaintiff or the respondent or when more witnesses were needed, the trial lasted longer. One of the main features of the Azerbaijani courts was their speed. From this point of view, there was no bureaucracy in the courts.



However, the greatest virtue of the Azerbaijani courts was their fairness. I would actually prioritize this principle. I recall a note made by a well-known Russian traveller who visited your region in the 1830's. In 1835-36, in the "Zhurnal Ministrestva Narodnogo Prosveshcheniya" he published his memories of Jar-Balakan, Gakh and Shaki. He witnessed a trial in the Balakan region. He recorded that he was surprised by the speed of the trial and the fairness of its decisions. The reason was that the whole trial was held in public. No judge was able to pass an unfair ruling in front of the people. The people would have immediately lynched him on the spot.

You see, thus the Azerbaijani people had a court system based on democratic principles that successfully regulated the social, economic, spiritual and cultural life of the population of the time. These courts operated as an organic component of the population's legal lifestyle and as an integral part of society.

From the early 19th century onwards, tsarist Russia started implementing its aggressive plans with regard to the South Caucasus, especially Azerbaijan. The first steps in this sphere were taken in your region. In September 1801, after the Kakheti kingdom of Eastern Georgia was incorporated into Russia through the efforts of the Russians and the Georgians, there were attempts to incorporate the western territories of Azerbaijan - Gazakh, Shamshaddil and Borchali - into Russia.

From this point of view, the main rival of the Russians was the Ganja khanate, because the Ganja khanate was trying to take control of Gazakh, Shamshaddil and Borchali and was impeding the Russians' aggressive plans with regard to that region. This rivalry ended in the occupation of the Ganja khanate on the night of 2-3 January 1804. But before that, in the spring of 1803,

General Tsitsianov invaded Jar-Balakan with the united Russian troops and secured the region's subordination to Russia by a "sacramental obligation" signed on 12 April 1803.

However, the Jar-Balakan people revolted in early 1804 and defeated the Russians. This success was short-lived, however. In 1804, the Jar-Balakan people were forced once again to accept the terms of the 12 April 1803 "sacramental obligation". According to those terms, the Jar-Balakan people were forced to pay 220 poods in tax to the Russians and endure their commitment to join the Russian Empire.

From the first days of occupation, tsarist Russia started interfering in all spheres of the country's life - political, economic and social. The colonial empire also tried to place the local legal system under the jurisdiction of tsarist laws, unify the laws and apply in Azerbaijan the tsarist legal system which existed in the European part of Russia. But despite all these attempts, the tsarist government failed to achieve its goals in full during its 115-120-year rule here. The main reason for this was that the roots of the customary law existing in Northern Azerbaijan were so deep - its roots and authority were so deep within society - that the invaders failed to erase it from the legal-court system of the Muslim society of Northern Azerbaijan.

However, we can see that Northern Azerbaijan had a court system based on Russian law which was created in the 19th century and operated until the early 20th century. I would like to single out several stages in the application of the Russian court system here. At the first stage, there was no talk of systemic or well-thought out acts taking into account every single nuance on the part of the Russian government. At this stage, tsarist officials were only trying to adapt existing laws to local

conditions. This first stage covers the period up to approximately 1840.

For example, the 1828 decree on the establishment of the "Armenian region" contains a provision under which the Muslim and Armenian court systems were separate. Armenians could never be tried in village courts in villages with a mixed population and these cases were examined separately. Or when the internal independence of the Jar-Balakan people was repealed in 1830 and the Jar-Balakan military district was created, a Russian "court" was established above the local courts.

In speaking about the particular features of the Russian court system which was created in Northern Azerbaijan by the middle of the 1830's, I need to highlight three types of courts here. The first type is regional courts. The regional courts were set up in various regions, for example Shaki and Karabakh, which obeyed Russia without putting up any armed resistance. City courts were set up in regions that put up armed resistance to the Russian invasion. In terms of their nature, composition and functions, there was no difference between these city and regional courts. Both types of courts were presided over by a commandant. Both types of courts included a representative of the commandant. These courts, which were comprised of Russian officials appointed by the commander of the Russian troops in the Caucasus and two representatives of the local population, were called *divans* and their members were called *divanbayi*.

Along with these courts, there were military field courts that examined serious crimes. However, these courts in fact had no real work to do on a legal level. The reason was that the local population's hatred for the invaders and the bureaucracy of the Russian courts with their extremely harsh punishments and arbi-



trairiness gave rise to great distrust of these courts. As a result, these courts often did not have any work to do.

The second stage of the establishment of the Russian court system in Northern Azerbaijan began with the 10 April 1840 court reform. But to be honest, there was no big difference here. However, the administrative-court reform of 10 April 1840 was the first systemic step towards establishing the court system of the Russian Empire in the South Caucasus. Courts like the ones which existed in the European regions of Russia were created here. A three-stage system was set up here - district courts, judicial chambers in regions and criminal and civil judicial chambers for the South Caucasus. The Russian Senate of Judges was accepted as the court of highest instance.

Thus, the foundations of the centralized court system which existed in the central regions of Russia were laid in the South Caucasus, including in Azerbaijan, on 10 April 1840. This system functioned in Northern Azerbaijan for about 30 years. However, the local population did not trust the Russian courts and every Azerbaijani thought it was a matter of honour to deceive this court.

Let me digress here. In his work entitled "The socio-economic structure of the Azerbaijani village in the late 18th and early 19th centuries", the late Matlab Gulmaliyev cites an example of a trial in the Russian courts in Azerbaijan. At that trial, people easily swore on the Koran in order to secure the acquittal of a person charged with a crime which was openly committed by the local population. They said: We swear this person is innocent.

You all know very well that in Azerbaijan and in the Muslim world it is a grave sin to lie on the Koran. Then it became clear that when they came to testify, they put an awl under their coats, that's to say - may God punish the awl if this man did not

do it. This shows the attitude of the local population to the Russian courts.

The more or less perfect court system that operated in Northern Azerbaijan until the very end of tsarist rule was the court system created as a result of the court reform carried out on 9 November 1866. This laid the foundation for the third stage of court reforms in Azerbaijan. The court reforms carried out in Russia's central regions in 1864 were restricted and incomplete in Azerbaijan, and the rights of the courts were curtailed.

As a result of this reform, a reconciliatory department was set up in the districts of Azerbaijan's Baku, Yelizavetpol and Iravan regions, as well as in Darband and Borchali districts. That's to say the territory of each district was a reconciliatory department. The person who headed the reconciliatory department had the rank of reconciliatory judge. Civil and criminal judicial chambers were set up in the regions, and they were subordinate to the Russian Senate of Judges. This was a three-stage court system. The previous courts were abolished completely.

The new court system created in 1866-1967 was applied in Zaqatala in 1869. However, these courts were not very efficient because the territory of individual reconciliatory districts was extremely large. Attempts were made later to reduce the territory of reconciliatory districts, but this did not yield any results. An appeal to Russian courts may have had dire consequences for both parties. Fines and legal expenses were extremely high, and sometimes these legal expenses were in fact higher than the sum demanded by the plaintiff. As a result of this, the Russian court system failed to take its place in the population's legal life.

Along with that, I would like to note one more feature of the court system that existed in your region. During the period of

the independence of the Jar-Balakan people and during the period 1830-1869 when the internal autonomy of the Jar-Balakan people was abolished, there were three types of courts on the territory of the Jar-Balakan people. The first type was village courts. Elders and headmen participated in these village courts. Then, the people had their own general court and this was the chief judge's court. It seems to me that legal literature differentiates between these three courts. A public meeting which was held in a place called Agdam once a year played the role of supreme court for the Jar-Balakan people. A ruling issued by this public meeting was regarded as the highest instance and was implemented immediately. There was a diverse and unparalleled court system here. If a plaintiff failed to fulfill a ruling regarding a blood feud issued by an ordinary village court, he himself could have been insulted, disparaged and expelled from society.

As for the period of the Azerbaijan Democratic Republic - we know this republic survived for only for 23 months. Our meeting today coincides with a very remarkable day in the life of the first democratic republic in the East and in the entire Muslim world. On 27 June 1918, the second cabinet meeting of the government of the Azerbaijan Democratic Republic issued a special resolution under which Azerbaijani Turkish was declared the state language of Azerbaijan. Several days after this resolution, one of our ministers appended an instruction to an appeal received by his ministry, saying that "since this appeal is not in Turkish, it will not be implemented". If I am not mistaken, this was Khoyski's instruction.

The Azerbaijan Democratic Republic did not take serious steps to make drastic changes to the court system, and this was impossible. But in general, it would be unfair to say that "nothing was done", because the Azerbaijani language was enforced

in the country's courts in a short period of time. As you know, the official court system which existed in Azerbaijan during the 115 years of tsarist rule used only the Russian language. This caused great dissatisfaction and concern among the population.

We should first note the establishment of our national courts and then the establishment of special commissions to investigate serious crimes committed on Azerbaijani territory, first of all to investigate the crimes committed against the Azerbaijani population in Baku in March 1918 and in a number of Azerbaijan's regions. A lot of material, which is still topical, was collected on that crime and an investigation was carried out.

The establishment of the judicial chamber can also be regarded as an important step taken by the government of the Azerbaijan Democratic Republic in order to create a system based on democratic principles in the legal sphere. It is regrettable that on the night of 27-28 April 1920, Azerbaijan was occupied by the 11th Red Army and an end was put to the implementation of progressive steps in this sphere. Thank you for your attention. If you have any questions, please do not hesitate to ask.

**Leyla Aliyeva:**

- We can now ask questions and make comments only relating to Haji's report because the report about the modern period will be made later. If you have any questions about the history of Azerbaijani courts, please ask. I have a question. As you see, this book "The History of Baku and Local Communities" was published by our Centre for National and International Studies. It has points relating to history, and it seems to me that the reforms carried out under tsarism in the second half of the 19th century had a great effect on Azerbaijani communities. For

example, in his book, Manaf Suleymanov cites a very interesting fact about the first oil boom in Azerbaijan. You know very well that oil was in private hands at the time. How did ordinary villagers like Nagiyev, Tagiyev and Asadullayev suddenly become rich? Because the law allowed ordinary people to buy a cheap small plot of land at auction. Then, they could drill an oil well on that land. If an oil fountain gushed there, they had a chance to become millionaires.

The most interesting thing is that the courts in that period were relatively independent. Manaf Suleymanov writes that Baku was full of well-known and professional lawyers. People from other cities came to Baku to consult these lawyers. One of those lawyers was Qara bey. Qara bey ruled in favour of a villager in a dispute between the governor of the Caucasus, Vorontsov, and that villager. This indicates the presence of independent courts. In other words, there can be no strong state or development in a place where there are no independent courts. I would like to ask Haji - did the Russian reforms not have some positive influence on Azerbaijani communities?

**Haji Hasanov:**

- Leyla, thank you for your attention. I would like to thank you for your remarks. I'll briefly tell you something about this. Manaf is a wonderful publicist interested in the history of Baku, but he is not an historian. Most of the historical information in Manaf's book "What I Heard, Saw and Read" can be regarded only as a product of popular stories passed on by word of mouth. Let's take a small example. According to Manaf, it was Haji Zeynalabdin Tagiyev who brought Shollar water to Baku. My friends, I can tell you in good faith that Tagiyev only came up



with a serious and attractive proposal and initiative to bring Shollar water to Baku. He put forward and defended this idea and, if I am not mistaken, he gave a 200-rouble award for the best project. In order to bring Shollar water to Baku, the Baku City Duma issued notes worth 27.5 million pounds in London and used this money to build the pipeline. Shollar water came to Baku in February 1917. Hajiyev did not have that much money.

As for the oil fields, after Baku was occupied by the Russians on 3 October 1803, all the oil fields were handed over to the treasury. Those fields belonged to the treasury until 1872, that's to say they were not private. Because the Russians did not know what oil and or cotton were, since the Russians did not know about this business, they could not make a profit from it. They had heard that the khan's treasury had been making a lot of money from oil. And they handed over oil-bearing lands to the Mirzoyev brothers who put the oil money in their own pockets. They were afraid that they would not be able to get this next time, which is why they did not want to spend money on improving the oil business.

The tsarist government drew a conclusion from this and imposed an excise tax on each cubic metre of oil on 1 February 1872, and on 17 February, it decided to sell oil-bearing lands at auction or rent them out for a long time. According to this decision, on 10 December 1872, the first auction of oil-bearing lands was held in Baku. In that period, the total area of oil-bearing lands in Absheron was 470 dessiatinas. At least 100 roubles were needed to lease this land. In that period, 100 roubles could buy almost 150-200 head of sheep. What villager had 200 head of sheep and so much money? Yes, indeed, as Leyla said, only in exceptional cases did oil businessmen such as Nagiyev and Tagiyev emerge.

I will respond to Leyla's question: did Azerbaijan really benefit from the steps taken by tsarist Russia in the sphere of setting up an independent court system? When someone asks such a question, as a researcher I can say: imagine that one man or a bandit invades a family and kills the head of that family, beheads him, then occasionally gives his orphaned children a piece of meat to eat. Can we regard this as positive? The only positive thing that the Russian court system brought to Azerbaijan was its systemic nature. That's to say, chaos in this sphere was eliminated. And the second positive thing is the use of documentation, because Muslims did not have a tradition of paper and books. The Russians brought this and said - you have to write this down. It is true that starting from the middle of the 19th century, village courts recorded their rulings. But the Russian court system required every court to record everything on paper. Except for these two things, the Russian court system had no positive aspect in Northern Azerbaijan in the 19th and early 20th century during the rule of tsarist Russia. The courts also defended the interests of the tsarist government. The 470 dessiatinas of land divided into 47 plots of 10 dessiatinas each were often land plots confiscated from villagers.

**Leyla Aliyeva:**

- But despite that, the villagers managed to retain their lands and defended their independence. And as a result we had so many entrepreneurs. Had it not been for the independent courts, they would not have become so rich. This property would have been taken over by the Russians. The national bourgeoisie was formed on the basis of these independent courts. Of course, independent courts in the Caucasus were not estab-

lished the way they were established in Russia. That's to say, there was real discrimination here. But despite that, Azerbaijanis made the most of every opportunity and our bourgeoisie started developing. This is my opinion. Maybe you have questions or comments about this, especially related to Balakan District.

**Participant:**

- It seems to me, Leyla, that this issue of documentation was a big problem throughout the whole of the East. If I am not mistaken, a couple of days ago television reported that the embassies of Christian countries, European states, constantly report the work they have carried out and leave written sources, while the ambassadors of Eastern states have not given their states any information about their work since the time of Uzun Hasan. They did some work, but there are no written sources available. This was probably our particularity.

**Leyla Aliyeva:**

- Aydin probably has something to say about this.

**Aydin Balayev:**

- Under tsarism there were great restrictions on the development of a national bourgeoisie, especially in the oil sphere. Tagiyev had to go to great lengths to open a textile factory in Baku, though he enjoyed great respect and authority in the eyes of the tsar. Despite that, he was in fact banned from establishing a textile factory, and in general, this industry did not exist in Azerbaijan because the tsarist government did not want Azerbaijan's national bourgeoisie to turn into rivals to Russian manufacturers. Azerbaijani cotton was sent for processing to



factories located in central Russia, and they produced textiles and then brought them back to sell in Azerbaijan. After a lot of trouble, Tagiyev was given permission on condition that his factory would produce only calico.

**Haji Hasanov:**

- To support what Aydin said, Tagiyev was given permission after he said that he would open the factory in Southern Azerbaijan - in Tabriz.

**Leyla Aliyeva:**

- Let's put it this way, had it not been for the Russians and had the oil fields still belonged to the khans at the end of the 19th century, what would the situation have been like?

**Haji Hasanov:**

- No one can say what it would have been like. No one can say that if we return to the time of the khans our oil industry would not have developed to such an extent. The experience of Arab sheikhs shows that Kuwait, the United Arab Emirates, Bahrain and Qatar are all blossoming.

**Leyla Aliyeva:**

- Excuse me. They have a very unfair society there. A small group of people sitting on top make billions there. It is true that the condition of ordinary citizens is not so bad because the population is small and oil reserves are abundant. But nevertheless, those sitting on top are misappropriating billions, and those societies are very unfair.

**Haji Hasanov:**

- No-one can predict how the oil business would have developed under the khans. History decreed that the Russians should come here and occupy this place. As for justice, Britain is also a democracy. But at the same time, there is a great difference between the life of the BP president and that of a BP worker. It is the same the whole world over and it does not matter whether it is a democracy or not.

**Leyla Aliyeva:**

- There is a great difference between the two cases because in Saudi Arabia political power and economic power are intertwined. But in a normal and fair society, political and economic power should be separate. What is political power? A post in the government. If someone is using their position to become rich, this is against the law. We can say that such a society is not fair. This is the case in Saudi Arabia, but not in America, Britain or France. This is not the case in Western countries. Now I would like to give the floor to our next participant, who represents local court system.

**Participant:**

- I would like to welcome you all. I would also like to express my thanks to the Centre for National and International Studies for holding such wonderful training sessions and conferences. Such conferences on our courts and justice are important for the whole region. Our subject today is the subject of courts and justice. This is a very topical issue. I would like to say a few words as well. Strong reforms carried out in Azerbaijan have adapted to modern conditions and the establishment of a system of self-government and are an integral part of democratic develop-

ment. These reforms realize constitutional provisions and serve to strengthen the legal foundations of society and statehood. As a result of the court reforms carried out on the initiative and under the leadership of our national leader Heydar Aliyev, new progressive laws and codes regulating the activities of all legal entities in Azerbaijan have been adopted, a three-stage court system has been set up and the necessary measures have been taken to guarantee the work of judges.

**Leyla Aliyeva:**

- Let's talk specifically about the court system of Balakan District. Just give us concrete information. For example, I don't know Balakan at all. I don't know how people live in this district and what they are doing.

**Participant:**

- First of all, Balakan is located in northwestern Azerbaijan. It borders on Dagestan and Georgia. There are about 24 nationalities living here. Those nationalities maintain close mutual relations with each other.

**Leyla Aliyeva:**

- What should be done to ensure better development of the courts in Balakan?

**Participant:**

- There are problems in all courts, not just in Balakan. For example, I would like to say one thing. The Procedural Code says that a citizen can go to court. The court of first instance should examine his case within three months. This is a long time. Let's

assume that this citizen is homeless and goes to court for his right to accommodation. This application should be answered within 15 days according to the law. This document can be examined within those 15 days and rejected in a higher court. If it is not examined in 15 days and is rejected, it should be given back to the citizen within three days. This is bureaucracy and a waste of the citizen's time. But it would be better if the time of court examination was reduced. Following the presidential decree of 19 January 2006, the efficiency of the court of justice increased. In order to facilitate the procedure for applying to court, the republic's Court of Appeal was abolished and courts of appeal were set up in six regions. That's to say, citizens who were not happy with the ruling of the court of first instance previously had to come to Baku. This created difficulties for citizens. The establishment of courts of appeal in the regions is a very good step. Apart from that, a Constitutional Court was set up. The new legislation confirmed citizens' right to appeal directly to the Constitutional Court. They had no such right before. Only the Supreme Court was authorized to send a query or appeal to the Constitutional Court. Now every citizen can appeal to the Constitutional Court to restore his rights. Though it is far from our region, the Nakhichevan Autonomous Republic also has courts. But the matter is that the main instance there is the Supreme Council. The Nakhichevan Autonomous Republic has its own Supreme Court, and this is a kind of court of cassation.

**Leyla Aliyeva:**

- Let's put one question to the people. Do residents of Balakan want the courts to be independent or not? Or is it better the way it is now?

**Participant:**

- Independent in what sense?

**Leyla Aliyeva:**

- We will be moving onto the main question now. What is an independent court?

**Participant:**

- According to the constitution adopted in 1995, there are three branches of power. These are the legislative, executive and judicial branches of power. This is the first time that the independence of the judicial authorities has been confirmed by the constitution in our country. The judiciary was declared independent so that people can freely go to court, settle their disputes in a court and citizens can rely on these courts.

**Participant:**

- That's to say the state should not influence the ruling of a court?

**Participant:**

- The state does not influence the ruling of a court. It issues its rulings based on the principles of total independence and investigation and every person has the right to appeal against the ruling of a court. First, he should file an appeal and then appeal for cassation to the Supreme Court, its plenum, and if he is still unhappy, he has the right to appeal directly to the Constitutional Court.

**Leyla Aliyeva:**

- This is part of the problem. But there are cases when a ministry or the presidential administration exerts pressure on



the courts, though they have no right to do so. In such a case, the court is not independent. Independence is when a court does not depend on the government. For example, in Sweden and Norway, the prime minister's car can be impounded. If the prime minister commits an offence involving his car in those countries, an ordinary police officer immediately fines him. That's it. And he/she cannot do anything about this because the court is independent. I once went to a conference in Holland. I had left some papers at home, which is why they did not want to let me cross the border. At the other end, that's to say in Holland, the conference was being organized by the Foreign Ministry. They called border guards and told them - this is our person, please let her through. They were so angry - we are independent and you cannot put political pressure on us.

A normal society is one that does not accept a call from the presidential administration, the cabinet of ministers or any other influential person, but resolves a dispute or a problem on the basis of the law. This is the main thing.

**Participant:**

- There is one more progressive step. In Soviet times, the courts could not be independent. In those days, the courts operated as an organization subordinate to the state. The Prosecutor's Office supervised the courts as a supervisory government agency.

**Participant:**

- There is no prosecutor's supervision now so are the courts independent?

**Participant:**

- Yes, the courts are independent, and there is no prosecutor's control. The court is independent in its decisions and can rely on its inner belief.

**Participant:**

- Was there no external and internal belief in Soviet times?

**Participant:**

- In Soviet times, trials were attended by jurors, or to be more precise, people's jurors, and the judge passed his sentence on their advice. In my opinion, there was no need for people's jurors because they were ordinary citizens. For example, let's take criminal cases. If people's jurors - ordinary citizens - have no idea about the law, how can they make a decision about a defendant?

**Leyla Aliyeva:**

- Aha! Twelve people sit there and decide.

**Participant:**

- Yes. In Azerbaijan, the Criminal-Procedure Code provides for a jury of 12 members, but this is not being used. There is no need to use it yet. Since the courts have historically maintained their rights in Europe and America, juries have also been maintained. For example, the court system in America is completely different from ours. There are both federal and local courts there. Apart from that, there are courts covering all spheres of the law. For example, in America there are separate courts for taxes, customs, family affairs and drugs. This is called a mixed

court system. It is different from ours. The presence of jurors there is part of their tradition.

**Participant:**

- I think that good things can be learnt from every foreign country. But this does not mean that we should copy them wholesale. Indeed, America has its own way of life. We have a completely different system. Our way of life, world outlook and views are completely different. The presence of jurors is one such issue. It suits them, but not us.

**Leyla Aliyeva:**

- Alexander II also introduced juries. In the 19th century, this was even regarded as a progressive step. In general, the more open the courts, the better it is. I think that it would be difficult to bribe 12 people selected at random.

**Participant:**

- In America, there is an Anglo-Saxon system. Legislation is systematized in a completely different way there. There are only court presidents here. For this reason, their legal system is completely different from ours. Maybe they really need jurors.

**Participant:**

- You mean we can only dream of an independent court...

**Participant:**

- The presence of jurors does not guarantee the independence of a court. In Soviet times, there were people's jurors.



**Leyla Aliyeva:**

- I think juries are one way of ensuring transparency. There are probably other ways as well. Lawyers can explain this better.

**Participant:**

- We should seek transparency in the ruling passed by a judge, not in the course of a trial or in our laws.

**Participant:**

- You just said that if a problem has been observed, that means that the courts cannot pass independent rulings.

**Participant:**

- Our laws have been copied from Russia.

**Leyla Aliyeva:**

- Do they have jurors?

**Participant:**

- In Russia, they do.

**Leyla Aliyeva:**

- If you remember, when Haji spoke about history, he said that the Russians said they (Azerbaijanis) had fair courts because they resolved problems before all the people, not in front of 12 jurors, but in front of all the people. This is called transparency so that people will know what they are doing there secretly - maybe they have been bribed?

**Participant:**

- In legislation, there is the principle of openness.

**Leyla Aliyeva:**

- How do they determine this?

**Participant:**

- The Criminal-Procedure Code has one concept - confidentiality. That's to say, some issues can be examined in secret. For example, a court examines cases relating to family and state affairs in camera. The judge even decides that those cases should be examined in camera. For example, maybe no-one is talking about secrets here. That trial is held openly. There is a principle of openness in our legislation.

**Leyla Aliyeva:**

- Thank you so much. I suggest we give the floor to Muzaffar and then start a general discussion.

**Muzaffar Bakhshov:**

- Dear friends, I welcome you. I would like to express my profound respect for the people of Balakan. Of course, your people are an example of hospitality, morality and tradition to everyone in the Azerbaijan Republic. If you will permit me to do so, I will make a brief report on the creation of an independent judicial system and the effectiveness of court reforms in Azerbaijan and in the post-Soviet period in general. I should say that in Soviet times there were different courts in Azerbaijan. Until 1933, even the prosecutor's office was part of the courts. As the Soviet government got stronger, the court system started to improve as well.

You are aware that a constitutional act on the independence of the Azerbaijan Republic was adopted on 18 October 1991 and

Azerbaijan proclaimed itself as successor to the Azerbaijan Democratic Republic. After that, an instruction was issued by the Popular Front government to prepare a law on a new court structure in order to carry out court reforms. I should point out that previously, that's to say before the Popular Front came to power, a new law on the structure of the courts was adopted in Azerbaijan on 26 June 1990, when Ayaz Mutallibov was president. According to that law, judges of the court of first instance and of the Supreme Court were appointed for a period of 10 years. Then, there was a regime change in Azerbaijan and after Abulfaz Aliyev became president of the Azerbaijan Republic, he issued an instruction to prepare a new draft law on creating an independent judiciary. Indeed, Azerbaijan adopted a very progressive law that reflected all means and guarantees to ensure the independence of the courts. The law was even published, but was not enforced.

Unfortunately, there was another regime change in Azerbaijan and that law did not start to be enforced. You know that Heydar Aliyev was elected president of the Azerbaijan Republic at the time and after that, the new constitution of the Azerbaijan Republic was adopted on 12 November 1995. Chapter 7 of this constitution endorsed the idea of "judicial power" for the first time. The Soviets flatly rejected the idea of the division of power. At that time, the principle of dividing the judicial, legislative and executive branches of power was regarded as an idea put forward by bourgeois philosophy. The Soviets believed that power belongs to the people and there can be no division of power.

But this principle of division of power has long been accepted in Europe and America. The essence of that principle is that

legislative power is administered by the parliament, executive power by the government and judicial power by independent courts. As I said, the judiciary was mentioned in Articles 125-133 of Chapter 7 of the Constitution of the Azerbaijan Republic. The constitution says that judicial power in the Azerbaijan Republic is administered only by the courts. This principle was also confirmed in Article 4 of the law "On Courts and Judges". The courts also implement the function of court supervision.

What was the essence of the new reforms? A three-stage court system was established in Azerbaijan for the first time - the court of first instance, the court of appeal and the supreme court, that's to say a court that operated as a court of cassation. Why are we creating such a court system? Our purpose in creating such a court system is to ensure that not a single illegal or groundless ruling passed by a court of first instance remains in force. Legal and physical persons have the opportunity to complain to a court of appeal against such a resolution, decision or ruling and ensure that they are overturned. Or if they fail to achieve this in the court of appeal, then they can file an appeal with the Supreme Court and ensure that such resolutions, decision and rulings are overturned. This is the main principle and essence of a three-stage court system.

According to Part 1 of Article 127 of the Constitution of the Azerbaijan Republic, judges are independent, are subordinate only to the Constitution and laws of the Azerbaijan Republic and cannot be replaced during their term in office. Dear listeners, the idea that they cannot be replaced at all during their term in office is very progressive. But unfortunately, certain problems have arisen in the enforcement of our constitution and the 10 July 1997 law "On Courts and Judges".

The problem is that the previous authorities had appointed judges according to the requirements of the 26 June 1990 law "On the Court Structure of the Azerbaijan Republic", and their term in office was 10 years. Therefore, the problem was that if we enforce the law "On Courts and Judges", we will aggravate the situation of those judges, because according to Part 7 of Article 149 of the Constitution, legal acts that improve the legal situation of physical and legal persons and eliminate or extenuate their legal responsibility have no retroactive effect. For this reason, guided by this provision of the constitution, the court reforms were postponed until 1 September 2000.

On 1 September 2000, new Procedural, Civil and Criminal Codes took effect and a new court system started to operate in Azerbaijan. This means that new judges were appointed after the reforms. According to the requirements of the law "On Courts and Judges", the court system in Azerbaijan consisted of 10 courts. These were district and city courts, the Court for Serious Crimes of the Azerbaijan Republic, local economic courts, military courts, the Military Court for Serious Crimes of the Azerbaijan Republic, the Supreme Court of the Nakhichevan Republic, the Court of Appeal of the Azerbaijan Republic, the Supreme Court of the Azerbaijan Republic, the Economic Court of the Azerbaijan Republic, and the Economic Court for disputes originating from international agreements. The new court system included the 10 courts that I have listed, and each court operated as an independent legal entity. That's to say, every court was an independent organization.

In connection with amendments and addenda made to the Constitution of the Azerbaijan Republic later, certain changes were made in the structure of these courts. The problem is that



the functions of some courts, especially of the Supreme Court of the Nakhichevan Autonomous Republic, did not match the functions of our court system, because before the amendments to the law "On Courts and Judges", the Supreme Court of the Nakhichevan Autonomous Republic operated both as a court of first instance and a court of appeal. In other words, it was a court that had a very complex structure and powers.

Apart from that, according to the transitional provisions of the constitution, the Economic Court of the Azerbaijan Republic was set up in place of the Court of Arbitration that operated in the Azerbaijan Republic in Soviet times. Taking account of all these processes, they saw that it was necessary to make some changes to this structure and a new structure was identified. In the new structure, Azerbaijan's court system consists of nine courts. These are district and city courts, the Court for Serious Crimes of the Azerbaijan Republic, the Court for Serious Crimes of the Nakhichevan Autonomous Republic, the Supreme Court of the Nakhichevan Autonomous Republic, military courts, the Military Court for Serious Crimes of the Azerbaijan Republic, local economic courts and courts of appeal and the Supreme Court of the Azerbaijan Republic. Courts of appeal have been set up in five regions of Azerbaijan. These are the Shaki Court of Appeal, the Ganja Court of Appeal, the Baku Court of Appeal, the Shirvan Court of Appeal and the Sumqayit Court of Appeal.

As I said before, in terms of its functions, the Supreme Court of the Nakhichevan Autonomous Republic is a court that acts as a Court of Appeal. As a result of the latest reforms, the Economic Court for disputes originating from international agreements and the Economic Court of the Azerbaijan Republic were abolished.

I should tell you that every court of appeal has four boards. These are the board for criminal cases, the board for civil cases, the board for economic disputes and the board for military affairs. At the same time, four boards operate in the structure of the Supreme Court of the Azerbaijan Republic. These are the board for criminal cases, the board for civil cases, the board for economic affairs and the board for military affairs. In other words, incoming appeals are examined by the boards responsible for each specific sphere.

If a citizen goes to court, all civil cases, except for election issues, are examined by courts of first instance. According to the requirements of the Civil-Procedural Code of the Azerbaijan Republic, the court of first instance should examine these cases within three months. But the law also provides for shorter terms. For example, complaints regarding elections should be examined within three days, those regarding alimony within one month and those regarding the repeal of illegal acts by government agencies within one month. That's to say during this period, the court of first instance should pass a ruling on appeals within three months.

Apart from that, according to the new changes, an appeal can be filed against a resolution issued by a court of first instance within two months. The Court of Appeal must examine appeals within three months and adopt a final decision. After that, that person can appeal to the court of cassation, that's to say the Supreme Court of the Azerbaijan Republic, within two months and the Supreme Court must examine such cases.

The court system of the Azerbaijan Republic also has instances that carry out a number of additional functions. However, these instances are not compulsory. That's to say a person can

appeal to the plenum of the Supreme Court of the Azerbaijan Republic against a ruling issued by the Supreme Court of the Azerbaijan Republic. However, an appeal to the plenum does not mean that the plenum will examine it. This power belongs to the chairman of the Supreme Court of the Azerbaijan Republic.

Apart from that, according to the requirements of the law on the Constitutional Court, that's to say according to the amendments and addenda made to the Constitution of the Azerbaijan Republic on 24 August 2002, every person - both physical and legal - has the right to appeal to the Constitutional Court of the Azerbaijan Republic. However, you can appeal to the Constitutional Court only in cases envisaged by the law.

Article 34 of the law on the Constitutional Court stipulates three cases when every person can appeal to the Constitutional Court against acts issued by municipalities, courts or government agencies. What are these cases? If a court does not apply a law that it has to apply or applies a law that should not be applied, or if a court wrongly interprets a law. In all three cases, a citizen can appeal to the Constitutional Court of the Azerbaijan Republic within six months of receiving the decision of the Supreme Court of the Azerbaijan Republic. Apart from that, you know that on 25 December 2000, Azerbaijan ratified the European Convention on Human Rights and Fundamental Freedoms and presented those ratification documents to the General Secretariat of the Council of Europe on 15 April 2002.

Since then, that's to say since 15 April 2002, Azerbaijan has been a state that operates under the jurisdiction of the European Court. This means that if citizens of the Azerbaijan Republic or even foreign nationals or stateless persons under the jurisdiction of the Azerbaijan Republic determine that a rul-



ing issued by the courts of the Azerbaijan Republic does not comply with the requirements of the European Convention on Human Rights and Fundamental Freedoms, they can appeal to the European Court. However, this appeal should be filed within six months of receiving the ruling of the Supreme Court of the Azerbaijan Republic.

According to the requirements of the European Convention on Human Rights and Fundamental Freedoms, the European Court has already examined 20 cases from Azerbaijan and determined that these cases of various types (civil and criminal cases) did not comply with the requirements of the European Convention on Human Rights and Fundamental Freedoms. According to our legislative procedure, if these decisions do not comply with the requirements of the European Convention on Human Rights and Fundamental Freedoms, then those cases are sent back and are examined by the plenum of the Supreme Court of the Azerbaijan Republic. Those cases are sent back to the Court of Appeal or other courts for re-examination. That's to say this is one of ways of protecting one's rights.

Our main subject is the independence of the courts. According to the requirements of the law "On Courts and Judges", one of the main elements of the independence of the courts is that judges are not politicized. In other words, judges working in the Azerbaijan Republic cannot be members of any political party. A special form has been determined for appointing judges. That's to say in our country, judges are not appointed like all other officials. There is one procedure designed for them and it is envisaged in Articles 93 and 93-4 of the law "On Courts and Judges". This is a special procedure. By establishing this procedure, the state undertook to ensure the independence

of judges. Apart from that, there are special procedures for the accountability, dismissal or transfer of judges. All these procedures ensure the independence of judges. According to the requirements of Article 126 of the Constitution of the Azerbaijan Republic, people who have reached the age of 30, have a university degree in law, five years of work experience, the right to vote, are citizens of the Azerbaijan Republic and have no commitments to other states can be appointed as judges.

However, according to the requirements of the law "On Courts and Judges" and the law "On the Court Legal Council", it is necessary to go through a special procedure to be appointed as a judge. According to the requirements of the current law, judges should sit a test, and people who gain 60 or more points at the first stage of the test move on to the second stage. At the second stage, they take a written test, and people who gain 60 or more points move on to the third stage. People who gain 60 or more points there move on to the next stage. There are about 11 stages. The names of those who pass all these stages are submitted by the court legal council to the president of the Azerbaijan Republic and they are appointed as judges. As a rule, people with less than five years of work experience can be appointed to the post of judge only in courts of first instance. However, there might be appointments to courts of other instances as well.

According to the requirements of Article 93-4 of the law of the Azerbaijan Republic "On Courts and Judges", a relevant body of the executive authorities can decide to appoint people who have 20 years of work experience and are distinguished by their moral qualities as high-ranking judges. If the president of the Azerbaijan Republic wants to appoint a person who has 20

years of work experience, an excellent legal grounding and moral qualities to the post of chairman of the Supreme Court, then the president of the Azerbaijan Republic can make a presentation to the parliament of the Azerbaijan Republic and that person is appointed judge of the Supreme Court of the Azerbaijan Republic.

All this is aimed at ensuring the independence of the courts under the law. According to Part 4 of Article 8 of the Constitution of the Azerbaijan Republic, the president of the Azerbaijan Republic himself is the guarantor of the independence of the courts.

Why do we attach such great importance to the independence of the courts? In all states, according to the constitution, all conflicts and disputes between the executive and legislative branches of power and legal and physical persons should be resolved in a court of law. That's to say they should solve these issues in court. If the court resolves an issue fairly, public order and human rights and freedoms will be better protected in Azerbaijan. This leads to the development of society and the people. For this reason, all states attach great importance to the independence of the judiciary.

You may ask whether the independence of the courts is fully guaranteed in Azerbaijan. If I say "yes", you will say that I have no idea about the work of the courts in Azerbaijan. You know, in fact, this is a problematic issue. There are a number of problems here. One of the problems is that Azerbaijan is a newly-established state and in some issues, the political authorities order courts to make one decision or another. No-one can deny this.

Second, there is the issue of the mentality of people living in Azerbaijan. People who hold a good post in the political author-

ities cannot agree with the idea that the rights and freedoms of their relatives are violated. There are cases like that. Another issue that you know better than I do is that it is possible to get someone under your thumb and put pressure on them.

Another problem is that there are judges in Azerbaijan whom it is impossible to make independent. He will still knock on the chairman's door and ask what decision he should take in a case. If the chairman tells him to go and decide himself, he will still ask him to tell him what decision he should take. That's to say all this has a negative impact on the independence of the courts and this discredits the judicial authorities in the eyes of the people.

But I think that there will be an independent judiciary in Azerbaijan in the future, the courts will be independent and no process can prevent this because we have integrated into Europe and it is impossible to prevent this process. Otherwise, Azerbaijan either has to spend all of its budget on compensation to people whose rights are violated by decisions that do not comply with the requirements of the European Convention of Human Rights and Fundamental Freedoms or to establish an independent judiciary that does not depend on any one branch of power.

Thank you for your attention. If you have any questions, I am ready to answer you.

**Aydin Balayev:**

- If someone has a question, please ask.

**Muzaffar Bakhyshev:**

- I made my report in the form of a thesis. Maybe someone is interested in something. There is not a single family that has not had a problem with the courts.

**Aydin Balayev:**

- We can discuss these questions during the tea break. Now let's sum up the official part of the conference. I would like to thank you all again. I think you have learnt something from us and we have learnt something from you. Thank you.

**Participants:**

- Thank you.

**BRIEF BIOGRAPHIES  
OF THE LECTURERS**



**Abdullayeva Arzu** was born in Baku; graduated from the History faculty of Baku State University; did postgraduate research at the National Academy of Sciences of Azerbaijan and at the Moscow Institute of Oriental Studies. She is co-chair of the international Helsinki Citizens' Assembly, and head of the Azerbaijani National Committee of the Helsinki Citizens' Assembly. She received the Olof Palme Peace Award, and also European Union and US Marshall awards.



**Aliyeva Leyla** is the founder and director of the Centre for National and International Studies. She graduated from Moscow State University and received a PhD in Moscow. Having returned to Baku, Aliyeva worked for the National Academy of Sciences as a researcher and taught at Baku State University and the Slavonic University. Since 1993, she has been working for the independent Centre for Strategic and International Studies - first as a deputy director and then as director. In 1997, Leyla Aliyeva worked as a national coordinator of the UN Human Development Report; in 1998, she was a member of the board of the Open Society Institute. She did research in political science and international relations at the US universities Harvard, Berkley and John Hopkins, and also at the Woodrow Wilson Centre, the National Democratic Foundation and the Rome-based NATO Defence College. She is an author of numerous articles and a monograph in the field of political science and international relations.



**Amanov Zahir Abish oglu** was born in the village of Arkivan in Masalli District in 1952. He graduated from the Journalism Faculty of Baku State University. In 1992, Amanov edited Masalli, the first independent newspaper of the district. He founded the newspaper Masalli Xabarlari in 1993 and edited it until 2003. To meet the demand of regional readers, Amanov founded the Canub Xabarlari newspaper in 2003 on the basis of Masalli Xabarlari. He has also worked as a regional correspondent with the Gunsahar and Markaz newspapers, and the Turan and APA news agencies. His newspaper, Masalli Xabarlari, was dubbed "the most resilient regional newspaper of the year" in 2002. It has also won a competition organized by the Technical Cooperation Society of Germany. For his coverage of problems in the southern region of Azerbaijan, Amanov was given the Hasan Bay Zardabi award by the Union of Azerbaijani Journalists. For an article headlined "I am selling humans", dedicated to human trafficking, Amanov was recognized by the International Centre for Journalists and sent to Poland and Georgia to learn from international experience. He has also attended courses in Lithuania, Ukraine and the USA. He is a coordinator of the Yeni Nasil (Young Generation) Union of Journalists for the southern region.



**Bakhishov Muzaffar Qiyas oglu** was born in the village of Ashurlu in Masalli District in 1961; graduated from Alibayramli Vocational School of Industry with honours in 1981; worked as a teacher at several secondary schools in Jalilabad and Masalli districts. In 1989, he graduated from the Law Faculty of Baku State University with honours; did an internship at the

prosecutor's office in Jalilabad District; worked as an aide to prosecutors in Oguz and Imishli districts, and as a senior aide to the prosecutor in Saatli District. He has been working in the NGO sector since May 2002. He is the president of the research centre Law-governed State; has been a member of the Board of Lawyers of the Azerbaijani Republic since November 2007.



**Gadirli Erkin** was born in 1972. He is a lawyer. In 1994-2006, Qadirli gave lectures at the Law and International Relations faculties of Baku State University. He has worked for the International Society of the Red Cross, the UN, the Council of Europe, the OSCE, and also for various national and international projects and working groups as a legal expert. He was a member of the Azerbaijani delegation to the UN diplomatic conference held in Rome, Italy, on 15 June - 17 July 1998 on the establishment of the International Criminal Court. Qadirli is co-author of a book, "Commentary on the Rome Statute of the International Criminal Court", which was published in Germany in 1999. He is co-founder of the non-governmental organization Republican Alternative (REAL), which was established on 25 December 2008.



**Gasimli Vusal Afras oglu** was born on 7 April 1975. His education: the State Economics University of Azerbaijan - 1992-1997; post-graduate research at the State Agriculture Academy of Azerbaijan - 1997-2000; the Georgian Institute of Public Affairs (a US State Department-funded project) - 2004. Qasimli worked as president of the ANS-Press Publishing House in

2005-2007. He has a PhD in economics; has written five books and up to 500 articles.



**Hasanov Haji Nuru oglu** was born in the settlement of Shafaq, in Beylaqan District, in 1952. He attended an eight-year school in Shafaq and continued his education at secondary school No 1 in the town of Beylaqan. He studied at the History faculty of the State Pedagogical Institute of Azerbaijan between 1970 and 1974; taught history in the villages of Baharabad and Qahramanli in Beylaqan District between 1974 and 1980. Hasanov has been working at the Bakixanov History Institute of NASA since 1980. He is the director of the "Modern History of Azerbaijan" department of the institute. In 1987, he received a PhD in history. He has written nearly 60 books/articles on the socioeconomic and sociopolitical history of Azerbaijan in the 19th century and early 20th century.



**Huseynli Hasan** was born in the city of Ganja in 1956. He studied at the Physics Faculty of Baku State University and did postgraduate research at the Moscow Institute of Electronic Technology between 1973 and 1990 and received a PhD in physics and mathematics; taught at the physics department of the State Agrarian University of Azerbaijan; worked at the Vatan newspaper and the presidential press service in 1990-1993; has worked for the Azerbaijani office of the Open Society Institute for over 10 years. Huseynli is the founder and executive director of the non-governmental organization Kamil Vatandash (Mature Citizen). He twice attended six-month scientific and research programmes in the USA and has participated in nearly 20 international conferences.



**Huseynova Sevinj** was born in Baku in 1958; graduated from the Biology faculty of Baku State University; received a PhD in 1992. At present, she is a leading researcher at the National Academy of Sciences of Azerbaijan. She is a docent, a member of the Majlis (assembly) of the Musavat Party, and head of the gender commission.



**Ismayilov Kamran Novruz oglu** was born in 1963; graduated from the History Faculty of Belarus State University in 1979; taught at Nakhichevan State University between 1989 and 1993; worked as a chief expert and a department head at the Centre for Humanitarian Research and Forecasting under the Milli Majlis in 1996-1996; did post-graduate research at the History Institute of the National Academy of Sciences of Azerbaijan in 1993-1998; has a PhD in history. At present, Ismayilov works at the History Institute as a leading researcher. He has written many articles about the history of the People's Republic of Azerbaijan.



**Juvarli Togrul** was born in the city of Ganja in 1939; graduated from the Physics Faculty of Baku State University; worked as a journalist and a screen-writer; in the past 10 years, he has been an active publicist and an economic expert. He now works as an information expert in the organization Turan. Juvarli, is a relative of the former Musavat prime minister Nasib bey Usubbayli and former PRA (People's Republic of Azerbaijan) minister Khalil bey Khasmammadov.



**Kheyrollayev Eynulla** was born in the village of İkinci Nugadı in Quba District in 1960. He received a higher education; is an expert in economy and finance/loans. Since 2000, Xeyrollayev has worked for the Forum of National NGO's as a trainer, coordinator and director. He has been working in the civil society sector since 2001; has joined projects implemented by the UN, UNICEF, the World Bank, USAID and other organizations. The projects covered a wide range of issues, including poverty reduction, economic development, community development, youth and child rights, the fight against human trafficking, etc.



**Mammadli Alasgar Ahmad oğlu** was born in Barda in 1968; studied at the Law Faculty of Istanbul University in 1991-1996 and at the Education Centre of the Istanbul Board of Lawyers in 1996-1997. In 2001, he did a masters in state management at the State Management Academy of Turkey and the Middle East (TODAIE, Ankara). In 2006, he attended a programme organized in the United States to improve the management skills of TV managers, and received a certificate. Starting in 1994, Mammadli has worked for various law firms and international organizations as a legal expert. He has led projects for the development of civil society and also served as a legal expert in the implementation of these projects. He has also organized training courses for young people and officials on local elections, media and journalism. Mammadli is the author of many academic articles and several books.



**Mammadov Emil Balamirza oglu** was born in Salyan District in 1964; graduated from the Agriculture Academy of Azerbaijan in 1987; taught at the agricultural vocational school in Salyan between 1987 and 2003. Since 1997, Mammadov has been a human rights champion in Salyan and surrounding districts. In 2004, he ran for the Salyan municipality. The Central Electoral Commission (CEC) annulled the election results in a constituency after Mammadov reported to the CEC about irregularities. In 2005, he ran for parliament for the Azadliq bloc. In March 2007, he founded the Public Union for Support to Democracy. This organization was registered with the Justice Ministry on 16 November 2007. He is coordinator of the Network of Civil Control over the Extraction Industries, a project of the Open Society Institute, in Salyan, Sirvan, Hacıqabul and Neftçala districts.



**Manafli Habibulla Shirin oglu** was born in the town of Sheki in 1951; graduated from the History faculty of the State Pedagogical Institute with honours; taught history at secondary school No 20 in the town of Sheki for many years and was promoted to head teacher; was in charge of ideological affairs at the Sheki branch of the People's Front of Azerbaijan between 1989 and 1992; served as deputy head of the Sheki executive authorities for humanitarian issues in 1992-1993. Manafli worked as the secretary for propaganda issues at the Sheki branch of the Musavat Party in 1992-1994. He headed the Sheki branch of the Musavat Party in 1994-1996, and was re-elected to the post in March 1999. He was elected to the Sheki City Municipality in 1999. Manafli started teaching at the Sheki

branch of Baku State University in 1993. He is now head teacher at the humanitarian department of the Sheki branch of the Teachers' Institute of Azerbaijan.



**Mehtiyev Azar Seyfali oğlu** was born in 1967; graduated from the Baku branch of the Leningrad Finance-Economic Institute in 1990; did postgraduate research at the State Economics Institute of Azerbaijan in 1994 and received a PhD in economics. Mehtiyev is a docent at the State Economics University of Azerbaijan, and head of the board of the Public Union for Support to Economic Initiatives. He is also a member of the board of the Coalition of Public Unions for Increasing Transparency in the Extraction Industries.



**Muradov Zakir Qazanfar oğlu** was born in the city of Ganja in 1959; graduated from the Oil Academy of Azerbaijan; worked as an engineer-technologist at the Billur electronics plant in Ganja in 1982-1985; engineer at the Regional Centre of Science (1985-1992); a department head at the executive authorities of Ganja's Kapaz district (1992-2003). Since 2001, he has been writing for the media. During this period, he has worked with Internews-Azerbaijan. In 2003, he started his career as a professional journalist. Muradov is currently the regional correspondent with Space TV and the chief editor of the Media Centre of Ganja. He is a relative of Nagi bey Sheykhzamanov, chief of the intelligence service of the People's Republic of Azerbaijan.



**Namazov Shahvalad (Chobanoglu)** was born in 1969; graduated from the Journalism Faculty of Baku State University in 1993; worked as a reporter for 7 Gun newspaper and as an editor at Azerbaijan newspaper between 1990 and 1993; was the editor-in-chief of Hurriyat and Gunaydin newspapers in 1996-2000; chief editor of the Gundalik Azerbaijan newspaper in 2006-2007; a columnist for the newspapers Musavat and Azadliq since 2007.



**Turhida Esmira** was born in Baku on 21 October 1955; graduated from the Farsi department of the Oriental Studies Faculty of Baku State University in 1977; has been working as a Farsi teacher since then. Turhida was an active member of the National Movement in 1990. Since 1999, she has headed the Southern Resource Centre of Human Rights - a project funded by the US Embassy in Baku. She is also a member of the South Caucasus Network of Female Leaders of the US Democracy Institute in Eastern Europe. Turhida has participated in programmes for the exchange of experience in the United State and the European Union. She is the author of one book and over 20 articles on science.



**Vazir Mehriban** is a writer and a publicist. She is a TV journalist by profession. Mehriban Vazir is the author of more than 40 novels, over 300 articles and four books. Several theses have been written about Mehriban Vazir's works and journalistic activity by students at Baku State University and Turkey's Osman-

kazi University. At an international conference held in Turkey in 2001 on "Writers in Turkic states", one of the participants delivered a speech about Mehriban Vazir. She is the head of the non-governmental Centre for Political Culture of Azerbaijani Women.



**Yaqublu Nasiman** graduated from Baku State University and St Petersburg University. Since 1993, he has been working at Baku State University as a head teacher; has a PhD in history. Yaqublu has written nearly 10 books about the history of the national independence movement in Azerbaijan in the 20th century and the People's Republic of Azerbaijan.



**Zeynalov Alibay Aslan oglu** was born in Hajiqabul District in 1963. He graduated from the Hydro-Melioration Faculty of the Construction and Engineering Institute of Azerbaijan. His specialty: Hydro-Technical Engineering;

Work experience: Engineer at the Ali Bayramli Construction Bank - 1985-1989; Head of a sector of the Ali Bayramli City Komsomol - 1989-1990; Engineer at the Ali Bayramli branch of Ilkinbank - 1990-1993; Head of the Ali Bayramli branch of Akinvestkomban - 1993-1996; Head of the Mil-Mugan branch of the APA news agency - since 2007; Head of the non-governmental Human Rights Resource Centre "Aran", which was founded and registered with the Justice Ministry in 2007.

## NOTES

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