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Azerbaijan's Parliamentary Elections: A Step Forward

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Summary

- The parliamentary elections held in Azerbaijan on Nov. 6 constitute a significant step forward in Azerbaijan's bumpy road toward democracy. These parliamentary elections were by far the most orderly and inclusive in the country's independent history.
- That said, numerous problems, mainly in the electoral campaign and in the counting and tabulation of votes, cast a shadow on the elections, and led the international observation mission to conclude the election 'failed to meet *a number* of international norms and standards' (emphasis added)
- The joint international observation mission did not stress the progress made in an adequate manner. Numerous observers, including several PACE members, expressed concern the official joint report did not correspond to their in-group discussions or to their observations.
- The government after the election moved quickly to address the worst examples of fraud, canceling results in several districts and firing as well as charging officials accused of fraud.
- The elections illustrated the complex nature of Azerbaijani politics, where the dividing lines do not only run between government and opposition but among groups in the government. Numerous ruling party candidates were defeated by independent candidates with strong financial resources, linked to one or another powerful government-aligned figure.
- While criticism of the shortcomings of the elections is appropriate, Azerbaijan's elections does indicate that democratic development in former Soviet states can take place in an evolutionary and not only revolutionary form.
- The West must keep expectations regarding the pace of change at realistic levels, and realize that the process of liberalization itself makes the electoral process harder to control. Azerbaijan deserves credit for its progress, not only criticism for its shortcomings.



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Context

Azerbaijan's parliamentary elections occurred in a complex set of international and domestic circumstances. On a regional level, their timing followed the series of colored revolutions in Georgia, Ukraine, and Kyrgyzstan. Flawed elections catalyzed peaceful and orderly popular uprisings in the Georgian and Ukrainian cases that brought regime change, and a coup d'état that led to the ouster of the government in Kyrgyzstan. All three led to the demise of unpopular and corrupt regimes. They also occurred at a time when Azerbaijan's strategic value to the West has increased, due to (1) its significant oil resources scheduled to come online by the end of 2005 through a major new pipeline to Turkey; (2) its role in the international anti-terrorist coalition, forming the West's strategic access route to Central Asia and Afghanistan; and (3) its symbolic role as a moderate, secular, and potentially democratic Muslim nation.

While these elements were all assets to the incumbent regime, this was compounded by the Bush administration's increased emphasis on democratization in the greater Middle East. As such, Azerbaijan was widely seen as a test case for the 'Bush doctrine': would Washington stick to its principles in case of a fraudulent election, or stand by a strategic though authoritarian ally? As a result, the American administration took on a much more active role in Azerbaijan's electoral politics than at earlier occasions, and media interest has been significant. Embassy staff and emissaries from Washington sought to ensure the election would be held in a democratic manner, thereby reducing the risk of unrest and a potentially destabilizing revolution, while avoiding to have to choose between strategic interests and democratization.

This calculus was correctly built on the premise that Azerbaijan differed strongly from Georgia, Ukraine, or Kyrgyzstan. Those three states shared numerous commonalities. First, they had widely unpopular governments whose leaders had lost most of their legitimacy while lack of economic development created broad dissatisfaction. Secondly, their opposition was



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united, led by former high-level government officials that were well known and respected. Third, law enforcement structures were demoralized, failing to intervene to uphold the incumbent regime in the face of public protests. Fourth, especially in Georgia and Ukraine, the opposition was organized and enjoyed strong external support.

Azerbaijan met none of these criteria. Azerbaijan's law enforcement structures have repeatedly showed their discipline and readiness to intervene to secure the incumbent regime. More importantly, the government did not share the unpopularity of the Shevardnadze, Kuchma, and Akaev regimes. Though Ilham Aliyev's 2003 election was marred by irregularities, there is little doubt he did receive more votes than any of his opponents. Moreover, since his election, he managed to cast himself as a force uniting continuity and change, building on his father's accomplishments but also appearing as a younger, reformist force. Given that the Azerbaijani economy is gradually taking off, oil wealth is trickling down to the wider public, and hopes for the future across society are increasing, Aliyev commands increasingly high popularity ratings. Meanwhile, the opposition has remained divided, most obviously as it failed to agree on a joint candidate to oppose Aliyev in 2003. This, and the opposition's lack of a political agenda, compounded public concerns that the opposition leaders had not learnt from the mistakes made during their time in office in 1992-93, a time of chaos, economic collapse and the loss of Nagorno-Karabakh in the war with Armenia. The decision by Popular Front leader Ali Kerimli and Musavat leader Isa Gambar to ally with Rasul Guliyev and his Democratic Party in spite of the persistent allegations of corruption against Guliyev also tarnished their anti-corruption platform. Moreover, there was from the outset a tendency by the opposition to focus more on Western attention and talk of revolution than on the electoral campaign. Indeed, the opposition's choice of the orange color is symptomatic of this. Kerimli in no uncertain terms told this author in October 2005 that the opposition's aim was to emulate Ukraine and achieve a peaceful regime change.

Following the Ukrainian revolution and the increasing American emphasis on democracy, Ilham Aliyev clearly realized the need to speed up the reform process and ensure the parliamentary elections were accepted by the West. To



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begin with, Aliyev understood the need for a more inclusive political system to reduce the risk of a ‘colored revolution’. Given Azerbaijan’s economic performance and his own popularity, Aliyev had reason to be confident a liberalization would not threaten his position in power. In popular view, he is widely seen as a reformist figure hindered by the ‘old guard’ in the government. Secondly, Aliyev pays close attention to the West’s stance, and has appeared well aware that a flawed election would result in negative consequences for Azerbaijan’s relations with the U.S. and Europe. Mr. Aliyev told this author in October 2005 that the wary Western reaction to his 2003 election had been a personal affront to his reputation, and emphasized the importance he accords to Azerbaijan’s integration with Euro-Atlantic structures. He also underlined that Azerbaijan’s integration with Europe will depend primarily on its own performance. In line with these statements indicating a clear realization of the stakes in the election, Mr. Aliyev in two decrees and several public speeches held out a commitment to democratic improvements in the elections that staked his personal credibility in the elections.

Election Campaign

In the period preceding the election, international organizations made numerous demands, including reform of the electoral commissions, opening up the registration and observation processes, introducing inking of voters’ fingers to prevent multiple voting, greater respect for freedom of assembly and opposition campaigning including media access, and curbing local executive interference in the campaigning and electoral process. Some of these suggestions were adopted, some only at the last minute, and others not at all.

A major improvement over earlier practices was the registration of candidates. Whereas in 2000 most opposition candidates were not allowed to register, this time around the registration process proceeded smoothly, with practically all candidates allowed to register, including exiled politicians Rasul Guliyev and Ayaz Mutalibov. Legal provisions on granting candidates air time on public television were also observed, allowing candidates from various ends of the political spectrum to express their platform to voters. Voter registration lists, a



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major problem in previous elections, were also improved. Late in the electoral process, the inking of voters' fingers was introduced, labeled by the European Parliament delegation's head a 'credible step' toward avoiding multiple and carousel voting. Given the short time frame in which this was implemented, the fact that it appears to have functioned in close to 90% of districts indicates this was implemented seriously. Simultaneously, a ban on foreign-funded NGOs to observe the elections was lifted, though this happened only a number of days before the elections.

Problems in the pre-election period remained, however. First of all, the composition of the electoral commissions, including the Central Electoral Commission (CEC), remained unchanged, leaving the government with the authority to override the opposition in the electoral commissions at all levels. This is an issue where further reform is clearly needed to ensure objectivity on the part of the electoral administration. Secondly, in spite of the President's executive orders, local executive bodies continued their patterns of interference in the campaign in support of pro-government candidates, and none were punished for this until election day. Undue pressure was also exercised on candidates. Third, law enforcement at numerous occasions used excessive force to dispel unauthorized demonstrations. It should also be noted that opposition forces sometimes systematically sought different locations than those assigned to them, and appeared at times to provoke the police into violence that would render international publicity to the electoral process. While both sides contributed to the tense environment of the campaign, the main responsibility clearly lay with the government to exercise restraint.

Election Day

Most election observers were surprised by the calm and smooth level by which election day proceeded until the closing of the polling stations. Practices that were ubiquitous in the 2000 parliamentary and 2003 presidential elections seem to be fading. This time, there was less evidence of ballot stuffing, overt voter intimidation, multiple and carousel voting, or inflated turnout figures that helped the government alter figures to secure easy victory in 2000. In most polling stations around the country, observers agree that the voting process



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proceeded in a mainly orderly and disciplined manner. Many reforms implemented at the urging of the international community contributed to this progress: transparent ballot boxes, the indelible ink applied to voters' fingers, and improved voter registration lists. In addition, exit polls were conducted for the first time in Azerbaijan, which covered slightly less than half of the 125 electoral districts. Though voters were uninformed and unaware of the nature of the exit poll, especially in the countryside, and the margin of error in the USAID-funded exit poll was substantial, it still provided data to compare official results with. Significantly, in over 80 percent of districts surveyed, official results concurred with those of a USAID-sponsored exit poll. Results in 9 districts showed greater divergence with the exit poll.

If the voting process was mainly orderly with the exception of some districts, mainly in the countryside, more problems were experienced in the counting and tabulation of votes. In numerous areas, approximately a third of those visited by international observers, the vote counting and tabulation experienced problems ranging from intimidation of observers, tampering with protocols, or unauthorized persons conducting the process. Domestic observers were also expelled from stations in a number of cases. Influential forces spent large amounts of money supporting preferred candidates, and the administrative resources of incumbent candidates affected results in many areas. Voting in military bases also remained murky. On a more general note, the electoral administration system suffers from its link to school officials administering the election, which dates back to Soviet times. School principals or senior teachers are almost invariably chairs and members of the precinct electoral commissions, and have traditionally, from Soviet times onward, been tasked with the job to deliver suitable outcomes in elections. This creates a well-known but not particularly neutral atmosphere to election administration, and forms a type of cultural impediment to a neutral election atmosphere that only a generational change or a total reform of the electoral administration can provide.

The problem with the vote count was at the center of the criticism forwarded by the international observation mission, which expressed that the "The 6 November parliamentary elections did not meet a number of OSCE



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commitments and Council of Europe standards and commitments for democratic elections.” The report and especially the presentation of the results at a Baku press conference on Nov. 7 was cheered by the opposition, but considered by many Western observers to have been exceedingly harsh. Indeed, several members of the observation mission of the Parliamentary Assembly of the Council of Europe were disturbed by the fact that the report did not correspond to the discussions their observation mission had had earlier the same day, where a considerably more balanced assessment had been dominating. As one member of the PACE observation mission told this author, the four heads of delegation (OSCE, COE, NATO and European Parliament) met in closed chambers to draft the report, which delegation members did not see until it was later disclosed to the general public at the press conference – at which point it emerged in a tone that was generally negative and paid virtually no attention to the progress made compared to previous elections. Several Swedish members of the PACE mission, representing various political strains including conservative, liberal and socialist, told this author they planned to raise this issue at the next PACE gathering.

The inherent flaws in the OSCE format of election reporting became painfully clear: the obligation to first of all determine whether elections ‘conform to international standards’ – that is, reach the same level as those in, say, Denmark – without considering whether progress has been made, let alone assess the level and significance of the progress made.

Post-Election Moves

Subsequent to the joint report of the international observation missions, the government moved fairly quickly to address some of the most pressing concerns. The same evening, President Aliyev in a televised address acknowledged irregularities had taken place, in particular the interference of local executive bodies with the electoral process, pledged to investigate allegations of fraud, to cancel results if necessary, and to hold officials accountable. The government then moved to invalidate or partly invalidate results in three districts. The result of ten polling stations of 28 were canceled



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in district 31, where opposition leader Ali Kerimli was running and where clear fraud had led to the ruling party candidate emerging as leader. As a result, Kerimli now appeared as the frontrunner. In two districts, results were canceled entirely and a re-run was ordered. More such decisions are said to be forthcoming, and these will be crucial to rebuild confidence in the electoral process. On November 9, it was noted that by order of the President, two executive committee heads and several functionaries had been fired and detained on charges of electoral fraud. This marks a watershed in Azerbaijan, as it ends a climate of impunity for election fraud.

Analysis

But importantly, this election was not a simple struggle between government and opposition. Candidates aligned with different interest groups within the ruling elite – and different opposition blocs – also faced off in many districts. In numerous occasions, independent candidates aligned with one or another government figure won over the official candidate of the ruling party. One example is Elmira Akhundova, whose role as official biographer of former president Heydar Aliyev ensures her government credentials. Akhundova won the race in district 71 in Masalli with 29% of the vote – against **two** candidates representing the ruling party, Ali Azizov and Mirbaba Shukurov. The ruling party members of the district electoral commission members are now alleging fraud. Indeed, this example illustrates the multiple splits within the ruling elite. Moreover, it indicates that the often assumed fundamental dividing line in Azerbaijani politics – that of the government versus the opposition – is an over-simplification of the situation. Often, splits between various forces in the government are often more important to understand Azerbaijani politics than the tradition government-opposition split. Likewise, the opposition itself remains fragmented into several different blocs and parties.

This has two important implications. First, fraud in the election often originates from the local level and in favor of a local candidate, not from the central government. Indeed, the President's decision to fire and detain some local officials should not be seen as merely a way of sacrificing lower level officials in order to respond to Western pressures – but as what it is:



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punishment of insubordination. Ilham Aliyev's reforms should be seen in the light of a complex political environment where cross-cutting linkages of an ideological, regional, and economic nature create a web of interactions that makes running the country and implementing reforms of any kind, including democratic reform of the electoral system, a challenge.

In fact, the gradual liberalization of the political system in the country also decentralizes authority and appears to make the presidential office less – not more – able to control the electoral process. During the rule of Heydar Aliyev, power was heavily centralized and deviations from the central policies were swiftly punished. But during Ilham Aliyev's government, while ultimate power rests with the President as showed by the President's decision to fire very influential ministers in October 2005, power is more decentralized. Hence influential figures within the ruling elite, and local potentates, are benefiting from the increasingly liberal atmosphere to seek to influence elections for their own narrow goals, irrespective of and sometimes conflicting with the objectives of the President. This election illustrates that authority in Azerbaijan's political system is much more decentralized than often assumed. Competition and struggles within the governing elite are an important element of this election and of the political situation in Azerbaijan, which are likely to dominate the country's political life for the foreseeable future. In fact, it is worth stressing that electoral fraud in this election could originate from several sources: those controlled by the president, or those that the President does not control. Establishing which of these forces have been involved in the fraud that took place during the elections may not be an issue for international observers; however, it is a crucial issue to investigate in order to fully understand the dynamics of Azerbaijan's politics – and most of all, to determine the level of commitment to democratic reform in the governing structures as well as to understand the internal challenges faced by reformist forces within the government. This issue, in spite of its importance, has practically failed to be included in the otherwise abundant international press coverage of the elections.

This, in turn, brings up the question of the role of the media. Visitors to Baku before, during, and after the election noted the heavy international media



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coverage of the elections. Many journalists had the serious ambition of reporting accurately on the elections. However, it was painfully apparent that a number of foreign journalists had come to Baku in the hope of witnessing another ‘colored revolution’, as happened in Tbilisi, Kiev and Bishkek. Learning little about the specificities and complexities of Azerbaijani politics and society, they assumed the conditions in Georgia, Ukraine and Kyrgyzstan – a uniformly illegitimate government and a generally virtuous and democratic opposition (in spite of some qualms about Kyrgyzstan) – were also true in Azerbaijan. This led to the assumption that Aliyev and his government were illegitimate by virtue of being the government; and that the opposition was virtuous and democratic simply by virtue of being the opposition. Aside from this, discussions including questions such as “where is the revolution?” could be overheard in the media community, and scenes of eager camera crews seeking out demonstrations and unrest that could spark a revolution, but returning in disappointment, could be observed. A Nov. 10 Associated Press story seems to have let this sentiment into the headline: “Protest in Azerbaijan disappoints”, noting the demonstrations did not lead to “an unstoppable momentum”. In this sense, the media coverage of the election left much to be desired.

Conclusions

Azerbaijan has hardly become a model democracy, and still has a long way of reform ahead. But the voice of the people of Azerbaijan in electing a parliament mattered more in this election than ever before. Steps taken by the government after the election further indicate the readiness by the government and especially by the President to conduct reforms. As such, Azerbaijan deserves criticism of the remaining problems but also encouragement for its accomplishments.

This election has regional implications. In the past few years, frustration with a decade of sluggish democratic progress and authoritarian backsliding in the former Soviet Union gave way to enthusiasm for the ‘colored revolutions’ that swept through Georgia in December 2003 and Ukraine a year later. To many observers, it indicated the only way to break the deadlock was through



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peaceful, popular uprisings against unpopular and corrupt rulers. But this path is not without danger. An attempt to copycat the Ukrainian revolution in Kyrgyzstan this March managed to oust Askar Akayev, the unpopular President. But it also led to widespread looting, a new and equally corrupt government, and the destabilization of the country. Seven political assassinations including four members of parliament have taken place in Kyrgyzstan since the revolution, and the influence of organized crime on politics is at an all-time-high. And with the recent collapse of the Ukrainian government, observers are becoming increasingly skeptical that ‘colored revolutions’ automatically bring change.

For the West, much is at stake as Azerbaijan is becoming increasingly important to Western interests. It is sandwiched between Russia and Iran, forming the only reliable air transport corridor between NATO territory and Afghanistan. It is emerging as a major non-OPEC oil producer, with high oil prices and supply problems making this all the more timely. Azerbaijan is also something as rare as a stable, moderate and secular Shi’a Muslim country aspiring to integration with Euro-Atlantic institutions. While not as rapid as one could wish for, Azerbaijan’s progress shows that advances toward international democratic norms is possible through evolution and not only through revolution. Constructive criticism has its obvious place, but the West should give credit where credit is due.