

P6_TA(2005)0411

Situation in Azerbaijan before the elections

European Parliament resolution on Azerbaijan

The European Parliament,

- having regard to its previous resolutions on Azerbaijan and the South Caucasus and, in particular, its resolution of 9 June 2005¹,
 - having regard to its resolution of 20 November 2003² on 'Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours',
 - having regard to the Partnership and Cooperation Agreement with Azerbaijan, which entered into force on 1 July 1999,
 - having regard to the Council's decision on 14 June 2004 to include Azerbaijan together with Armenia and Georgia in the European Neighbourhood Policy (ENP),
 - having regard to the final statement and recommendations of the sixth meeting of the EU-Azerbaijan Parliamentary Cooperation Committee of 18-19 April 2005,
 - having regard to the Country Report on Azerbaijan of 2 March 2005,
 - having regard to the EU Statement on Azerbaijan of 6 October 2005,
 - having regard to Azerbaijan's membership of the Council of Europe, to the European Convention on Human Rights and to the numerous resolutions adopted by the Parliamentary Assembly of the Council of Europe on Azerbaijan, in particular its resolution of 22 June 2005,
 - having regard to the interim reports by the OSCE Election Observation Missions of September and October 2005,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the forthcoming parliamentary elections on 6 November 2005 will put to the test the commitments made by the Government of Azerbaijan to pursue the democratic process,
- B. whereas the Council's decision on Parliament's request to extend the ENP to the three countries of the South Caucasus provides Azerbaijan with new instruments for relations with the EU and the framework in which to integrate into EU policies beyond the present Partnership and Cooperation Agreement,

¹ *Texts Adopted*, P6_TA(2005)0243.

² OJ C 87 E, 7.4.2004, p. 506.

- C. whereas the ENP recognises Azerbaijan's European aspirations and the importance of Azerbaijan as a country with strong historical, cultural and economic links to the EU, and whereas a genuine and balanced partnership can only be developed on the basis of the shared values of democracy, the rule of law, respect for human rights, respect for minorities and civil liberties,
- D. deeply concerned about the events which took place on 25 September and 1 and 9 October 2005 when the police violently prevented thousands of opposition activists belonging to the Azadlig bloc from holding a rally in Baku in defiance of a government ban, beating up journalists and arresting dozens of protesters,
- E. whereas on 17 October 2005 Rasul Guliyev, a leading opposition figure who has registered as a candidate in the elections, was temporarily detained in Ukraine on his way back to Baku pursuant to an international warrant issued by Azerbaijan alleging embezzlement, and whereas on 16 and 17 October 2005 Azerbaijani police detained around 200 opposition activists and arrested many of them in connection with his proposed return to Baku,
- F. worried about the situation concerning the opposition media and cases of abuse and attacks on journalists as well as threats and acts of defamation, pressure and harassment against human rights defenders,
- G. whereas the first interim report of the OSCE's Election Observation Mission of September 2005 voices concern about restrictions on freedom of assembly, and confirms that the recommendations from the Venice Commission to improve the legislative framework for elections and to introduce key safeguards to enhance public confidence have only been partially implemented,
- H. whereas the second interim report of the OSCE's Election Observation Mission of October 2005, while acknowledging some improvements in media access for all parties, highlights the continuing disproportionate restrictions placed on the election campaigns of opposition candidates by pro-government forces and the fact that some election commissions do not implement the Election Code in a fair and impartial manner,
- I. whereas, with a view to the parliamentary elections in November 2005, President Ilham Aliyev issued an Executive Order on 11 May 2005 on 'Improvement of Election Practices in the Republic of Azerbaijan',
- J. whereas the OSCE Minsk Group's US, Russian and French co-chairs have recently met in Washington to discuss the current stage of the Nagorno-Karabakh peace process and in particular their planned meeting with the Azerbaijani and Armenian Foreign Ministers in Ljubljana,
 - 1. Deplores the refusal of the Azerbaijani authorities to grant authorisation for opposition rallies in the requested places in the centre of Baku and condemns the disproportionate and violent measures taken by the police against the demonstrators since September 2005;
 - 2. Calls for the immediate release of all those detained, asks for a full and fair investigation into the abovementioned events, including the responsibility of the law enforcement units, and urges Azerbaijan to guarantee the fundamental human rights of detained persons;

3. Calls on the Azerbaijani authorities to grant and respect freedom of assembly and to ensure that the forthcoming parliamentary elections will fully meet recognised international standards and the long-standing recommendations of the OSCE/ODIHR and the Venice Commission, and calls on all parties in the forthcoming elections to conduct their campaigns in a peaceful manner; stresses that the current electoral code could provide a basis for the conduct of democratic elections if implemented correctly;
4. Welcomes the release from custody by the Ukrainian judicial authorities of Rasul Guliyev following a ruling that the case for extradition made by the Azerbaijani authorities was not strong enough; emphasises the contradictory attitude of the Baku government that allows a candidate to register and at the same time prevents him from taking part in the elections;
5. Urges the authorities to pay special attention to the safety and freedom of journalists and the media, and to take immediate steps to protect journalists following a wave of violence against media representatives;
6. Urges the Azerbaijani authorities to do everything within their power to bring to justice those responsible for the murder of Elmar Husseinov, editor of the opposition news magazine 'Monitor';
7. Deplores the arrest of the leaders of the youth movement Yeni Fikir (New Idea), who have been accused of preparing a coup d'état, and calls for their immediate release;
8. Reiterates its call to Azerbaijan to secure the independence of the judiciary and to guarantee the fundamental human rights of persons in detention; calls on the authorities to take steps to remedy the shortcomings observed in trials and urges the government, in this regard, to implement the Council of Europe recommendations on the treatment of political prisoners, following widespread and credible allegations of torture and ill-treatment;
9. Stresses that the overall assessment of the democratic credentials of the elections will influence the decision to start working on a new Action Plan for Azerbaijan, which should be focused on the development of a genuine democracy and respect for human rights and the rule of law; calls on the Commission, in this regard, to coordinate its action with the Council of Europe and to make every effort to support and strengthen civil society;
10. Welcomes the Commission's recommendations on a significant intensification of relations with Azerbaijan and urges the Commission to continue to provide the necessary assistance to the Azerbaijani Government so that it implements the legal and institutional reforms in the field of human rights and the rule of law;
11. Urges the Azerbaijani authorities to effectively tackle corruption in the country, in particular by increasing resources for educational programmes and by introducing the necessary legislative framework which would enhance coordination between the government and the civil sector in anti-corruption efforts;
12. Calls on the Azerbaijani Government to solve the problem of direct air flights between Baku and the northern part of Cyprus in accordance with International Civil Aviation

Organization standards in order to secure the development of the ENP together with all the countries of the South Caucasus;

13. Feels strongly that the Minsk Group offers the best mechanism for settling the Nagorno-Karabakh issue and fully supports the efforts made since the beginning of 2005 by the Azerbaijani and Armenian governments to improve dialogue;
14. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the President, Government and Parliament of the Republic of Azerbaijan, the governments and parliaments of Russia, Turkey and the United States, and the Parliamentary Assemblies of the OSCE and the Council of Europe.