

Supporting Human Rights and Democracy Report 2006

Azerbaijan is a republic with a presidential form of government. The president dominated the executive, legislative, and judicial branches of government. The government's human rights record remained poor. The public's right to peacefully change the national legislature was restricted in the November 2005 parliamentary elections, although there were some improvements in the period leading up to the elections and in the May 13 parliamentary election reruns that took place in 10 parliamentary constituencies. Torture and beating of persons in police custody resulted in three deaths during the year, and police officials acted with impunity. Prison conditions--despite improvements in infrastructure--were generally harsh and life threatening. Arbitrary arrest and detention, particularly of individuals considered by the government to be political opponents, and lengthy pretrial detention continued. The government continued to imprison persons for politically motivated reasons. Pervasive corruption in the judiciary and in law enforcement continued. Restrictions on media freedom, freedom of assembly, and political participation increased. The government promoted religious tolerance and generally respected religious freedom, although at times it restricted the activities of some groups. During the year the government took several important steps to combat human trafficking, including establishing a shelter for victims of trafficking, creating a new antitrafficking unit within the interior ministry, and removing antitrafficking responsibility from the ministry's organized crime unit.

The US human rights and democracy strategy focused on five key sectors of democratic development: 1) strengthening the political process; 2) advancing the rule of law and the fight against corruption; 3) advocating respect for human rights; 4) protecting media freedom; and 5) creating an engaged, empowered, educated citizenry.

To promote democratic reform, US officials regularly met with representatives of political parties, a range of human rights and democracy activists, and government officials. The assistant secretary of state for democracy, human rights and labor, the assistant secretary for European and Eurasian affairs, and several members of Congress visited during the year to reinforce US support for democracy and human rights.

To encourage democratic political processes, including elections, the United States intensified its efforts through sustained high-level government intervention, public diplomacy outreach, and training programs. In the period preceding the May 13 parliamentary election reruns in 10 constituencies, the ambassador and visiting senior US officials regularly engaged government officials on the need to conduct elections consistent with international standards, including the need to deter fraud and other interference in the electoral process, prosecute cases of such interference, and permit domestic nonpartisan organizations to monitor the elections.

In the period leading up to the May elections, the United States funded campaigns encouraging citizens to vote, which were tailored to target various voter groups. As part of an effort to encourage political dialogue and issue-based parliamentary elections, US programs supported the development and broadcast of several public service announcements. In addition the United States sponsored the design and distribution of brochures encouraging public participation in the rerun elections as well as voter instruction guides. In an effort to strengthen public knowledge of democratic principles and values, US programs funded the translation and publication of American books on democracy. Other US projects included developing networks of domestic election observers as well as training political candidates on the basics of campaigning, local election officials on the mechanics of carrying out a democratic election process, and judges and lawyers on fair adjudication of the election code. A US-sponsored exit poll that provided an independent estimate of the results in all 10 rerun races helped to corroborate credible allegations of fraud, and contributed to some corrective actions by election officials. US officials in the country deployed an election observation mission. Before and after the elections, the United States urged the Central Election Commission to forward complaints of election code violations to the prosecutor general's office.

In the period preceding the October 6 partial municipal elections, US officials in the country engaged national and local election officials on the importance of adhering to international electoral standards. They also fielded observer teams to monitor the elections. US programs funded and trained domestic election observers. US officials raised all known cases of fraud and irregularities with the Central Election Commission.

To underline the importance of media freedom, US officials urged the state prosecutor to investigate and bring to justice individuals--including police

officers--responsible for physical attacks on journalists. The United States publicly criticized the government's November 24 decision to suspend the broadcasts of a national television and radio network and urged the government to restore it to the air as soon as possible. US funding supported the professional development of journalists and advocates for media rights. At the same time, US-supported programs provided technical and programming assistance to several television stations and newspapers. Through an international visitors program focusing on journalism, five journalists and staff members from the two year-old public television station studied programming standards and best management practices at US public television stations. Another visitors program offered young journalists the opportunity to study "new media" in the United States including the use of the Internet, blogs, and audio and video podcasts. US programs brought specialists in media management and English for journalists to help develop the capacity of local media organizations and funded other professional media training for journalists. In the aftermath of the 2005 murder of prominent independent journalist Elmar Huseynov, US officials encouraged the government to conduct an expeditious and impartial investigation into his death and provided technical law enforcement assistance to facilitate the investigation.

To support the development of civil society, the United States continued to provide technical assistance, grants, and exchange programs to support the activities of local NGOs, to encourage dialogue between the government and civil society, and to educate the government about democratic practices. US grants helped NGOs develop community networks to strengthen participatory government on a national and local level. To improve democratic governance at a local level, the United States launched a major project aimed at involving citizens, the business community, civil society, and media in a collaborative dialogue with government officials in six regions to identify, address, and resolve local problems. The United States funded NGOs promoting the implementation of access to information laws, a project designed to support effective interaction between newly elected members of parliament and their constituents; several anticorruption projects in local schools; and a weekly radio program addressing corruption in law enforcement.

US officials urged their counterparts to respect the right of freedom of assembly and to authorize peaceful demonstrations. To emphasize the importance of this freedom, US officials in the country monitored police

conduct at political rallies, publicly affirmed the need for full restoration of the right to freedom of assembly, and condemned the excessive use of force against demonstrators. The United States voiced its concerns to all levels of the government regarding the international right of citizens to organize and demonstrate peacefully against government policies. US officials in the country monitored police conduct at the November 25 forced eviction of a leading opposition party and media outlets from their co-located office in central Baku. They supported efforts to enable the building's tenants to regain access to their property, obtain acceptable premises, and obtain financial compensation for property damaged during the eviction.

The United States promoted respect for the rule of law and human rights diplomatically and programmatically. US officials monitored high-profile court proceedings, including the trial of three leaders of a youth group convicted of alleged coup plotting; eviction proceedings against an opposition party and several media outlets; the trial of a journalist convicted of alleged narcotics possession; and the trial of a kidnapping and extortion gang led by a former official. In addition the United States advocated respect for the rule of law and human rights during government investigations of individuals accused in 2005 of fomenting an alleged coup. US-funded programs assisted citizens to gain access to justice and to protect their rights through legal advocacy. US training programs worked to strengthen the professional development of judges and lawyers, to assist them in combating corruption, and to help officials develop the legal framework necessary to stop corrupt practices. To promote the creation of an independent judiciary, US officials monitored exams given to those seeking to become new judges. The United States continued to work with law schools on curriculum development and new teaching methodologies. US funding and expertise helped to establish a legal database project which provided easy access and use of legal framework documents for the legal profession and the general public.

The United States funded programs to increase the professionalism and skills of the judiciary, prosecutors, and the defense bar, placing special emphasis on developing the adversarial system between prosecutors and the defense. To strengthen the legal profession as a whole, the United States supported efforts to promote the role of women lawyers, to develop an independent bar association, and to eliminate corruption in the education system. US-funded programs provided training and material to judges, prosecutors, and attorneys on the European Convention on Human Rights,

fair trials, and ethics. To provide a legal basis for anticorruption efforts, the United States also provided technical assistance on the drafting of a new Conflicts of Interest Law and a new draft Code of Ethics for Civil Servants. US funding also supported an anticorruption study-tour for government officials and NGOs. Finally, a US program provided technical assistance to investigators and prosecutors to encourage evidence-based investigations, which could help decrease forced confessions.

To address human rights abuses by law enforcement officers, US officials repeatedly urged the government to ensure that police complied with human rights standards and to hold police officials accountable for torture, abuse, or misconduct, and routinely visited detainees. The United States funded local NGO monitoring of detention and prison facilities in Baku and the regions as well as the provision of human rights training for police and detention officers. In addition US officials visited prisons to focus attention on poor conditions.

Several US-funded projects promoted the protection of women's rights, as well as those of children and workers. The United States supported the reprinting and distribution of the Azerbaijani human rights self-study manual *Thirty-three Steps Up* to strengthen awareness of the existence and importance of human rights. US programs educated young people on basic human rights in an effort to create awareness of these issues among youth. The United States continued to support a program, which it helped design, to integrate human rights into training for security forces guarding the Baku-Tbilisi-Ceyhan pipeline.

The United States actively encouraged respect for religious freedom, including the right to practice religion without unnecessary interference or restriction. In meetings with government officials, US officials regularly stressed the importance of respecting religious freedom. A US project funded high school debates on the role and importance of religious tolerance in society. In November the ambassador delivered a widely received public address on religious freedom and tolerance. Throughout the year, US officials in the country actively spread the message about religious tolerance and Islam in America. The ambassador hosted an Iftar dinner in October for the religious leaders of the Muslim, Orthodox, Christian, and Jewish communities.

To combat human trafficking, the United States promoted antitrafficking measures and effective preventive mechanisms in meetings with government officials and offered guidance on implementation of the national antitrafficking action plan. US officials regularly engaged with the international community to coordinate antitrafficking efforts. To help trafficking victims, the United States funded training of volunteers to staff a shelter and victims' hot line.