



## CRS Report for Congress

# Azerbaijan's October 2008 Presidential Election: Outcome and Implications

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### Summary

This report discusses the win by incumbent Ilkham Aliyev in Azerbaijan's October 15, 2008, presidential election. It describes the campaign and results, and examines implications for Azerbaijani and U.S. interests. This report will not be updated. Related reports include CRS Report RL33453, *Armenia, Azerbaijan, and Georgia*, updated regularly.

### Introduction

After achieving independence in 1991, Azerbaijan was convulsed by secessionism by its Nagorno Karabakh (NK) region, civil disorder, and a steep economic decline. In recent years, however, the exploitation of oil and natural gas resources has contributed to a rapidly growing economy, despite rising inflation and reported corruption. Progress in democratization has been slow, according to the Organization for Security and Cooperation in Europe (OSCE) and other observers, who have judged that neither presidential elections nor legislative races have yet been "free and fair." The United States and others in the international community have supported democratization efforts in Azerbaijan. At the same time, U.S. interests have been served by Azerbaijan's support for the war on terrorism and its oil and gas exports to Western markets.

In anticipation of the 2008 presidential race, changes to the electoral code were approved by the legislature in June 2008. Some of the amendments had been recommended by the Venice Commission, an advisory body of the Council of Europe. However, other Venice Commission recommendations were not enacted, including one on eliminating the dominance of government representatives on election commissions.<sup>1</sup> In late June, Azerbaijan's Central Electoral Commission (CEC) announced that media campaigning would be permitted for less than one month before the election, which critics termed too short a time for candidates to present their platforms. Despite these concerns,

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<sup>1</sup> European Commission for Democracy Through Law (Venice Commission). *Joint Interim Opinion on the Draft Amendments to the Electoral Code of the Republic of Azerbaijan*, March 18, 2008.

a visiting delegation from the Parliamentary Assembly of the Council of Europe (PACE) praised Azerbaijan's progress in electoral reform and stated that it was "heartened by the assurances it received from top Azerbaijani representatives that their goal is to hold an orderly and well-administered election that complies with European standards."<sup>2</sup>

Besides President Aliyev, six other politicians were able to gather 40,000 valid signatures to be registered as candidates for the presidential election. Most of the candidates had some exposure at the national level. Qudrat Hasanquliyev and Hafiz Hajiyev had run in the 2003 presidential election, and Hasanguliyev, Iqbal Agazade, and Fazil Mustafayev are deputies in the legislature. Some government officials and observers have suggested that these candidates are "new constructive opposition leaders," as opposed to those in opposition parties that boycotted the election (see below). Hasanguliyev, Mustafayev, Fuad Aliyev, and Alibeyli had once belonged to the boycotting parties but had left to form their own parties. Agazade had supported oppositionist Isa Gambar's candidacy in the 2003 presidential election, but in recent years has been considered by some observers a "constructive oppositionist."

The opposition Azadliq (Freedom) party bloc decided on July 20 that it would boycott the election on the grounds that the election laws were not fair, their parties faced harassment, and media were constrained.<sup>3</sup> This bloc includes opposition politicians Ali Kerimli, the head of the Popular Front Party (Reform); Lala Shovket Hajiyeva, the head of the Liberal Party; and others. In early September 2008, the Azadliq bloc joined with other parties to form an Opposition Cooperation Center (OCC) coalition, including the Musavat Party (headed by Gambar); the Civil Development Party (headed by Ali Aliyev); and the Public Forum for the Sake of Azerbaijan (headed by Eldar Namazov).

## The Campaign

After losing to Ilkham Aliyev in the 2003 presidential election, Gambar (and other opposition politicians) alleged large-scale vote fraud. Government forces and pro-Gambar demonstrators clashed, resulting in injuries and property destruction and hundreds of arrests and detentions. Agazade was among those imprisoned for eighteen months for allegedly fomenting violence. The government was determined to prevent such an outcome in 2008, a goal that seemed even more significant after violent demonstrations in neighboring Georgia in November 2007 and in Armenia in March 2008. Among measures to control demonstrations, amendments in mid-2008 to the law on freedom of assembly specified that rallies could be limited to places designated by local officials. The OCC planned a demonstration in Baku on September 28, but it turned down a venue offered by city officials it deemed inconveniently located.<sup>4</sup>

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<sup>2</sup> PACE. *Azerbaijan: Statement by PACE Pre-Election Delegation*, September 18, 2008.

<sup>3</sup> Open Source Center. *Central Eurasia: Daily Report* (hereafter *CEDR*), April 24, 2008, Doc. No. CEP-950216.

<sup>4</sup> Commenting on the provision, OSCE/ODIHR urged that "assemblies should not routinely be relocated to designated special places, but rather should be facilitated at the location, or along the route," requested by the organizer. *Guidelines on the Implementation of the Law on Freedom of Assembly of the Republic of Azerbaijan*, September 2008.

Campaigning was low-key. Campaign posters could be displayed only in designated sites. Public television devoted three hours a week of free air time for the candidates, and there was scant paid political advertising. President Aliyev did not attend campaign debates but sent emissaries to present his viewpoint. He emphasized the high economic growth that had occurred during his first term and assured prospective voters that he planned to keep growth on track. According to some observers, the media environment was more restrictive than in previous legislative and presidential elections, and prevented an informative public discussion of candidates and their platforms.<sup>5</sup> Media focused on Aliyev's ostensible presidential duties and preparations by election officials.<sup>6</sup>

The tiny opposition Umid (Hope) Party alleged that its candidate (Agazade) was "being obstructed in every way possible," including by the defacement of campaign posters. Some in Azerbaijan criticized a statement by the Minister of Education on September 22 that all teachers, many of whom work on electoral commissions, would support Aliyev's re-election, but others dismissed the statement as merely over-enthusiasm. Candidates filed a few election complaints with the CEC, but it dismissed them. A few cases were filed by the candidates with the courts, which dismissed most but ruled for the candidates in at least two cases.

## Results and Assessments

Despite media reports that the election had failed to interest the public, the CEC reported that more people had voted (75.1% of 4.93 million registered voters) than in 2003, when the turnout was 71.2%. Incumbent President Aliyev won a resounding victory, gaining nearly 89% of the vote. The remaining six candidates each received about 1%-3% of the vote, with Agazada coming in a distant second place with a little over 100,000 votes. Hasanquliyev and Hajiyev gained slightly more votes than when they ran in 2003. The deputy chairman of the ruling Yeni Azerbaijan Party hailed the election outcome as reflecting the will of the people and as due to the success of Aliyev's economic policies that have boosted jobs and wages.<sup>7</sup> The presidential inauguration is planned for October 24, 2008.

### Presidential Election Results

| <i>Candidate</i>     | <i>Percent of Vote</i> |
|----------------------|------------------------|
| Ilkham Aliyev        | 88.73                  |
| Iqbal Agazada        | 2.86                   |
| Fazil Mustafayev     | 2.47                   |
| Qudrat Hasanquliyev  | 2.28                   |
| Qulamhuseyn Alibayli | 2.23                   |
| Fuad Aliyev          | 0.78                   |
| Hafiz Hajiyev        | 0.65                   |

*Source:* Central Electoral Commission, October 19, 2008.

According to a preliminary report by election monitors from OSCE/ODIHR, the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament

<sup>5</sup> *Media Coverage of the 15 October Presidential Election in Azerbaijan, August 15 thru September 12, 2008*, Institute for Reporters' Freedom and Safety, September 16, 2008.

<sup>6</sup> OSCE/ODIHR. *Presidential Election 2008, Interim Report No. 2, September 18–30, 2008*; Reporters Without Borders. Press Release. *Azerbaijan: Monitoring Shows State Media Failed to Cover Election Campaign Properly*, October 16, 2008.

<sup>7</sup> *BBC Worldwide Monitoring*, October 16, 2008.

(EP), the election “marked considerable progress toward meeting OSCE and Council of Europe commitments and other international standards but did not meet all ... the principles of a meaningful and pluralistic democratic election.” The observers commended a peaceful voting process that was “well organized and efficient,” but were critical of a “lack of robust competition and of vibrant political discourse facilitated by media,” and the decision by some opposition parties to boycott. The observers raised concerns about Soviet-type “pyramidal networks of persons responsible for groups of voters,” that worked to get out the vote, and which were “put in place by local authorities and/or election commissions, and in some cases linked to the [ruling Yeni Azerbaijan Party].” The observers also raised concerns that there appeared to be “significant procedural shortcomings [in vote counting] in many cases, and manipulation in some instances.”<sup>8</sup> EU Council President Nicolas Sarkozy appeared more critical, issuing a statement on October 17 that “the elections still do not satisfy international standards of democracy, particularly as regards the organization of public debate, the conduct of polling, and the counting of votes. The EU urges the Azerbaijani authorities to continue their efforts to honor their international commitments regarding democratic pluralism and media freedom.” The Azerbaijani Foreign Affairs Ministry retorted that the statement was “biased” and did “not contribute to building trust” between Azerbaijan and the EU.<sup>9</sup>

The OCC issued a statement on October 16 that the winner of the “restrained and unfair election may not be considered legitimate,” and that the election “does not reflect the people’s will.” Columnist Zahid Safaroglu similarly asserted in the opposition newspaper *Yeni Musavat* that the poll was a “show” and was the “most antidemocratic” election yet in Azerbaijan.<sup>10</sup> The OCC announced plans for an October 18 demonstration in Baku, but city officials refused to give permission for a rally at the venue requested.

## Implications for Azerbaijan

The election appeared to indicate that Aliyev has consolidated power since succeeding his father as president in 2003. Government officials and others have stated that the increase in the percentage of the vote for Aliyev — from 77% in 2003 to 89% in 2008 — reflects voter approval of his policies and the endorsement of his campaign theme that stability would be jeopardized if there was a change of leadership. He also appears

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<sup>8</sup> OSCE/PACE/EP. *Republic of Azerbaijan Presidential Election, 15 October 2008: Statement of Preliminary Findings and Conclusions*, October 16, 2008. Forty election observers sponsored by Bob Lawrence and Associates, a U.S. lobbying group, and the Association for Civil Society Development in Azerbaijan, a pro-government NGO, stated that the election was “an orderly process much like is seen in the United States,” and was “free and fair.” *Statement of the American Observers Group*, Renaissance Associates of Baku, October 16, 2008. See also the Preliminary Report of the pro-government Free, Transparent and Fair Elections Coalition, *On the Results of 15 October 2008 Presidential Election*, October 17, 2008. Observers from the Institute of War and Peace Reporting, an international NGO, stated that “violations were mainly of a technical character that could not have altered the result.” However, they raised concerns about possibly inflated turnout, not usually regarded as a technicality. “Azerbaijani Leader Cruises to Victory,” October 16, 2008.

<sup>9</sup> EU. *Statement of the Presidency of the EU on the Presidential Election in Azerbaijan*, October 17, 2008; *CEDR*, October 22, 2008, Doc. No. CEP-950288.

<sup>10</sup> *CEDR*, October 16, 2008, Doc. No. CEP-950202. *Open Source Center Feature*, October 16, 2008, Doc. No. FEA-789516.

to have bolstered support among critical constituencies such as military personnel, to whom he granted a substantial pay boost just before the election. During Aliyev's first term, Azerbaijan's economic growth was among the highest in the world, which lifted living standards and partially reduced the level of poverty in the country. Other accomplishments included the completion of oil and gas pipeline export routes to the West. Although Aliyev has pledged to maintain his existing policy course, an Armenian politician has suggested that Aliyev's clear electoral mandate may give him increased power to make unpopular decisions to resolve the conflict in the breakaway Nagorno Karabakh region.<sup>11</sup>

Those who take a more pessimistic view of developments during Aliyev's first term and prospects for the future point to the reportedly increased level of corruption during his rule and his failure thus far to resolve the NK conflict. They warn that Aliyev may face decreasing economic growth during his second term — arising from the fall in world oil prices and global economic problems — that may jeopardize his support among critical constituencies and set back his efforts to improve living conditions in the country.

Many observers argue that Aliyev easily would have won the election even if the boycotting opposition party leaders had decided to run. These opposition party leaders had failed in the past to gain many votes and are hence “discredited,” they argue.<sup>12</sup> The apparent insignificance of the election boycott further indicates just how much their parties have been marginalized, these observers maintain. Critics of this view argue that without free media, the popularity of the president is not based on informed judgment, so such conclusions about the electability of opposition leaders are invalid.<sup>13</sup> They also point out that when prominent opposition politicians ran against Aliyev in 2003, they garnered more votes than the supposed “new generation of opposition candidates” did in 2008.

## Implications for U.S. Interests

According to the Administration, U.S. objectives in Azerbaijan include cooperation in the war on terrorism, the advancement of U.S. energy security, and progress in democratic and economic reforms. The United States is interested in Azerbaijan's internal stability and a peaceful approach to resolving the NK conflict.<sup>14</sup> The Administration's interest in stability and cooperation with Azerbaijan seemed underlined by Vice President Cheney's September 3 visit to Baku. U.S. concerns about democracy prospects in Azerbaijan were highlighted by Assistant Secretary of State David Kramer in congressional testimony in July 2008. He raised concerns “that the political space for dissenting voices has been shrinking over the past few years,” and stated that the Azerbaijani “government bears ultimate responsibility for the climate within which political parties and candidates operate, and within which public debate takes place.” He

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<sup>11</sup> *ARMINFO News Agency*, October 16, 2008.

<sup>12</sup> *EIU ViewsWire Select*, October 16, 2008; Alman Mir Ismail, *Central Asia-Caucasus Analyst*, October 1, 2008.

<sup>13</sup> “Five Myths About the 2008 Presidential Election in Azerbaijan,” *Quirk Global Strategies*, December 5, 2007; Vugar Gojayev, “President Aliyev's Tight Grip on the Press Has Severely Damaged His Country's Democracy,” *Index on Censorship*, October 15, 2008.

<sup>14</sup> U.S. Department of State. *Congressional Budget Justification for FY2009*.

reported that the United States had urged Azerbaijani officials “to establish the conditions that would be conducive to a truly competitive” presidential election.<sup>15</sup>

On October 16, State Department Spokesman Sean McCormack congratulated the Azerbaijani people for “having this election and instituting some improvements in the way this election occurred over previous elections.”<sup>16</sup>

Several Azerbaijani observers have argued that in the wake of the Russia-Georgia conflict, the country’s significance to the United States and the West has increased as a source of oil and gas not controlled by Russia. They suggest that the West is hoping that Aliyev’s re-election connotes a continuation of his policy of seeking Western outlets for Azerbaijan’s oil and gas and that the West is placing less insistence on short-term democratization targets.

In July 2008, President Aliyev appeared to refer to U.S. and Western democratization support when he reportedly informed his diplomatic corps that “no one has the right to interfere in the domestic affairs of Azerbaijan, give us advice and read lectures.”<sup>17</sup> Conversely, some opposition politicians have criticized the United States and the West for not making greater efforts to foster democratization. Lala Shovket Hajiyeva has stated that “the West sees Azerbaijan as a petrol station with only one goal, to function properly. Here the West keeps its interests higher than its values.”<sup>18</sup>

**Congressional Response.** Congress has demonstrated an interest in democratization in Azerbaijan by excepting most such aid from restrictions that it long placed on some other U.S. assistance because of the conflict over NK. Concern about Azerbaijan’s 2008 presidential race included pre-election legislative activities and Member and staff participation as electoral observers. At a hearing of the Congressional Commission on Security and Cooperation in Europe (the Helsinki Commission) in July 2008, Chairman Alcee Hastings raised concerns about President Aliyev’s statement that Azerbaijan would not tolerate criticism of its record. Representative Hastings called for Azerbaijan to uphold its commitments as a signatory to the Helsinki Final Act, so that the October 2008 presidential election would “register clear progress” over previous elections. Commission Co-Chairman Benjamin Cardin similarly urged the “government of Azerbaijan to open up the process so that it is easier for political parties to participate, and opposition representatives to have a fair opportunity.”<sup>19</sup>

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<sup>15</sup> U.S. Commission on Security and Cooperation in Europe. *Hearing: Human Rights and Democratization in Azerbaijan*, July 29, 2008.

<sup>16</sup> U.S. Department of State. *Regular News Briefing*, October 16, 2008.

<sup>17</sup> “Azeri Leader Brushes Aside Foreign Pressure, Pledges to Back National Interests,” *BBC Monitoring Caucasus*, July 10, 2008.

<sup>18</sup> Khayal Shahinoglu, “Ilkham Aliyev Has Won a Victory over His Toy Soldiers,” *Azadliq*, October 19, 2008; Leila Alieva, “Azerbaijan’s Presidential Elections: Do Oil and Democracy Mix?” *ISS Opinion*, European Union Institute for Security Studies, October 2008.

<sup>19</sup> *Hearing: Human Rights and Democratization in Azerbaijan*, July 29, 2008.

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