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EVOLUTION OF PARLIAMENTARIANISM IN AZERBAIJAN

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The parliamentary system in Azerbaijan has gone through three distinct periods: the period of the emergence of parliamentarianism as a result of the participation of Azerbaijanis in the pre-1917 Russian Dumas and the activities of the first Azerbaijani parliament, the period of activities of the Azerbaijan SSR Supreme Soviet, and the period of independent parliamentarianism since 1991. This article examines the impact of the first on the second and especially the third.

The participation of Azerbaijani intellectuals in the work of the pre-1917 State Dumas represents the starting point of parliamentarianism in Azerbaijan. Five Azerbaijanis were elected to both the first and the second State Dumas. One, Alimardan Topchubashov, even served as head of the broader Muslim group in the first Duma. After the dissolutions of the first and second Dumas, Turkic and Muslim populated Central Asia, Siberia and other regions were deprived of their rights to elect delegates, and Baku was not permitted to send representatives to them either.

Consequently, in the third and fourth State Dumas, there was only one Azerbaijani deputy, who represented the entire Muslim population of the Caucasus.

Nonetheless, participation in the Dumas gave Azerbaijani intellectuals an opportunity to become acquainted with parliamentary culture and defined their approach after the fall of the tsarist system. In 1918, Azerbaijanis who had been elected to the Constituent Assembly participated in the formation of the Transcaucasus Sejm, where the 44 Azerbaijani members represented the one million Turkic and Muslim residents of the Caucasus. They formed the Azerbaijani National Council on May 27, 1918, and can thus be said to be the first Azerbaijani parliament. That body, on May 28, adopted the Declaration of Independence of Azerbaijan, founded the parliamentary republic and formed the provisional government of Azerbaijan Democratic Republic (ADR) under the leadership of Fatali Khan Khoyski.

During the period of the ADR, parliamentary activity evolved through two periods. The first lasted from May 27, 1918 to November 19, 1918 and corresponds to the period of the National Council. That body – Azerbaijan's first parliament – was set up in May and its 44 members made numerous important, indeed historical, decisions, among them the Declaration of Independence, that helped to define the nature of the country. Then in June, the National Council suspended its session and delivered all executive and legislative power to the provisional government. However, in November, the National Council met again and, in reaction to the extraordinary situation the country faced, adopted the law providing for the assembly of a broader Azerbaijani Parliament and itself ceased to exist.

The second phase lasted seventeen months from December 7, 1918 to April 27, 1920. During this period, the new broader parliament, functioning uninterruptedly, also passed numerous pieces of legislation aimed at preserving the independence and territorial integrity of the country and creating a system that respected and defended the rights and liberties of its citizens. Its decisions – including laws on citizenship, military service, a National Bank, the establishment of Baku State University, customs, post and telegraph services, and the extension of suffrage to women – defined the nature of the political system as such, and consequently, many modern Azerbaijani scholars see the day of its establishment, 7th of December, as the foundation of modern Azerbaijani parliamentarianism.

The parliaments of ADR over these two periods held a total of 155 sessions, ten in the form of the National Council and 145 in the form of the Parliament. The parliament discussed more than 270 bills, about 230 of which were adopted. It had 11 commissions and 120 members from 11 different factions and party groups. And it operated under a special statute of the Azerbaijani parliament.

One of the parliament's main objectives was to win international recognition for Azerbaijan's independence. On December 28, 1918, it thus decided to send a delegation led by A. Topchubashov to the Paris Peace Conference where the delegates succeeded in winning de facto if not de jure recognition by the great powers. The parliament, which introduced many ideas of European parliamentarianism into Azerbaijan, thus achieved a great deal that subsequent Azerbaijani political figures could look back to after the collapse of Soviet power in 1991.

When Azerbaijan under pressure from the 11th Red Army had to hand over its powers and functions to the Bolsheviks, Baku set a number of conditions, including

the maintenance of a genuine parliamentary system in and independence of Azerbaijan, to which Moscow agreed. But not surprisingly, the Bolsheviks failed to live up to their promises, and the parliament they created, the Supreme Soviet of the Azerbaijan SSR, was a farce from a political point of view.

But if that body had no real powers, it nonetheless played a key role in maintaining the principle of parliamentarianism as the form of government in Azerbaijan. Moreover, that body introduced the practice of standing commissions rather than ad hoc ones, an innovation that continues to affect Azerbaijani practice. And it was the Azerbaijan SSR Supreme Soviet which adopted the *Declaration on the Restoration of State Independence of Azerbaijan Republic* on August 30, 1991, and the *Constitutional Act on the Restoration of State Independence of Azerbaijan Republic* on October 18, 1991, the two acts that formalized Azerbaijan's post-Soviet independence.

The new post-Soviet parliament, the Milli Majlis, helped to prepare the new constitution. And it has been that body which has defined the political system and many of its aspects by the laws it has passed. It has defined the nation in many ways, introduced modern forms of economic activity, and created a political system based on democratic and secular ideals. And it had provided the legislative base not only for the rest of the government but also for local administration.

Milli Majlis also enjoys dynamic relations with the international community. The Azerbaijani parliament established bilateral and multilateral cooperation with parliaments of many other countries. It also participates in the activities of several international parliamentary institutions. These help both to enrich the parliament's international practices, and to promote Azerbaijan's foreign policy priorities.

Many of these measures reflect the updating of ideas of almost a century ago, and Azerbaijanis can be proud of the more than 90 years of parliamentarianism in their country as a guarantee of their rights and freedoms and of the independent existence of their country.

BAKU ENERGY SUMMIT HIGHLIGHTS AZERBAIJAN'S ROLE

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As all maps show and as President Ilham Aliyev has repeatedly said, Azerbaijan stands at the intersect point of the major north-south and east-west transportation and communication routes in Eurasia, a location that gives Baku a special, even growing role in larger energy issues throughout the world. That role was highlighted over the last month by the Baku Energy Summit in mid-November, the meeting of the presidents of Azerbaijan, Turkmenistan and Turkey in Turkmenistan, and Baku's decision this week to cut oil production in line with OPEC efforts to stem the decline in the price of oil.

The fourth such meeting after sessions in Krakow in May 2007, Vilnius in October 2007, and Kyiv in May 2008, the Baku session attracted political leaders and key oil and gas industry officials from the Baltic, Black Sea and Caspian Basin as well as from the United States and the European Union to discuss energy security issues and the development of additional supply routes across the region and from it to the countries of Western Europe.

Most reporting about the session focused on the specific accords reached including Azerbaijan's commitment to supply gas to Georgia for five years and Baku's new agreement with Kazakhstan on transportation routes, but the most important aspect of the meeting was its reaffirmation of the centrality of Baku in any discussion of these issues. As President Aliyev told the group, Azerbaijan has "an enormous role to play" in promoting the transportation of oil out of the region and ensuring the energy security of its partners in the region and in Europe more generally.

He found support for that idea in the remarks of US Energy Secretary Samuel Bodman, Ukrainian President Viktor Yushchenko, and Polish President Lech Kaczynski, among others. And the meeting was the occasion for progress on the Nabucco gas pipeline project, something that the European Union is devoting increasing attention to given its unwillingness to be held hostage by Russian control of many of the existing routes.

And what is striking is that at a time when international demand for oil is dropping given the worldwide financial crisis, Azerbaijan has succeeded with this session in underscoring a reality which no one in Europe, the United States or the Russian Federation can ignore: no solutions to the existing energy problems of Eurasia are going to be possible without the direct participation of Baku.

While that represents a significant diplomatic triumph for Azerbaijan, it also creates two new problems. On the one hand, it guarantees that various outside powers will seek to pressure Azerbaijan to accede to their point of view, a situation that likely means there will be more problems over Karabakh and the occupied territories – Russia's typical lever on Baku – with the ethnic Azerbaijanis in Iran – Tehran's usual diplomatic weapon of choice – and concerning human rights and international broadcasting – major concerns of Western countries and especially the United States. Azerbaijan may assume it can parry these challenges because of its favored position, but it will have to address them.

And on the other hand, this triumph carries with it new responsibilities. Azerbaijan now will have to take a more public and more carefully defined position on a wider variety of energy issues. Other countries involved with these questions will expect that, and if Baku fails to deliver in the very short term, other governments are certain to look elsewhere, a shift that could cost Azerbaijan dearly and one that its geographic position alone will not prevent. In short, a failure here could seriously hurt the country's standing in other forums.

The Azerbaijani-Turkish-Turkmen summit in Turkmenistan underscored both these possibilities and these risks. As several commentators have noted, this meeting at the end of November "cemented" the development of ties among three key Turkic states all of which are involved in the energy business either as suppliers – Azerbaijan and Turkmenistan – or as transit routes – Azerbaijan again and Turkey. Here too Azerbaijan was the link between these two very different communities, and

consequently, it played the dominant role, something few might have expected given Turkmenistan's earlier intransigence and Turkey's historically larger geopolitical role.

And this week, Azerbaijan again underscored its regional leadership role by saying that it would follow OPEC plans to cut production in the hopes of stemming the decline in the price of oil. While some have seen this as a mistake that will offend Western consumers, a more reasonable reading is that Baku was staking out its own regional position. After all, Moscow did not make a similar commitment. And consequently, Azerbaijan which is not only a supplier but a transporter of energy and not only a Muslim state but a very secular one as well took a position that allows it to stand between various groups.

That is a remarkable achievement, one that elevates Baku to a new level in the international game. But it means that Azerbaijan now faces expectations and challenges that it did not face earlier. And while Baku may welcome them as evidence of its new prominence and independence, it will have to work harder than ever in 2009 in order to ensure that it can build on what it has achieved rather than find itself in a position of geo-economic and geo-political overreach.

IRAN AND AZERBAIJAN – THE NEED FOR DIALOGUE

Alum Bati*
Wicklow Chambers

In the December 1 issue of the ADA biweekly (Vol. 1, No. 21), two interesting articles reflected on Iran and its influence in the Caucasus. This is a note in response.

The authors of the two articles, Paul Goble and Gulnara Inandzh, accepted the view that Iran is the biggest gainer out of the recent Georgia-Russia conflict, though Ms. Inandzh did so in a more nuanced way. My immediate response is that it is Turkey, not Iran, that is the main beneficiary. Turkey has quite rightly seen the opportunity to play a more active diplomatic role in the Caucasus (not that it was ever very passive in this regard). Of course, Turkey has its own very special interests and sees the real possibility of resolving its long-standing issues with Armenia. It should be encouraged to do so and, in the process, help bring resolution to the Nagorno-Karabakh stalemate.

As for Iran, I wonder whether it would be such a bad thing if Iran were to be the main beneficiary.

Commentators on Iran tend to look at that country in the context of the desires of the US, Russia or other greater or lesser powers. They also have a tendency to anchor their views in events that may have taken place some time in history but may not be relevant today or tomorrow. My attitude towards Azerbaijan's foreign policy stance towards Iran approaches the issue from a first principle of foreign relations, that is, it should endeavour to maintain cordial relations with all its immediate neighbours. A nation with unfriendly or distrustful relations with a neighbour is always a country struggling to move forward. And the bigger the

neighbour, the greater the struggle. The establishment of sound and open relations with all (and I mean all) neighbours must be the main thrust of any nation's foreign policy. For a small nation like Azerbaijan this is all the more important and perhaps so obvious that it occasionally needs to be restated.

Iran is not only a neighbour of Azerbaijan. It is also a regional power which cannot be ignored. If you know that someone can't be ignored, then the best way to avoid conflict is to be constructive. Always wary but constructive. Iran should, therefore, be included in Turkey's proposed "stability platform" and the US should support this. It does no harm to US interests and, indeed, might even support them. An engaged, constructive Iran is far better than a simpering, disgruntled one. I would take this further and try to engage Iran in the settlement of the Nagorno-Karabakh dispute. Iran should be engaged, made to feel important. The vanity of regional powers should never be ignored; nor should their potential to cause harm if they are not given their due recognition. Absence of conflict is better than simmering conflict and, where Iran is concerned, that means engaging Iran both in conflict resolution and regional development. Azerbaijan should be careful not to act in a way that might cause Iran exaggerated concern (for example, I would certainly not advocate support for Azerbaijani nationalists in Iran).

Oil and gas are important in the economies of the Caspian region. I believe, however, that the global importance of the Caspian region has been much overstated. The Russian-Georgian conflict is, in my opinion, tangential to the debate and barely relevant. Mr. Goble stated in his article [emphasis added]: "*Because of the disruptions the Russian-Georgian war caused in the transportation networks in the Caucasus, Iran became a more attractive route out for Caspian basin oil.*" This is so only if recent history is ignored. Iran was always seen as the best export route for Azerbaijani oil by everyone including the oil companies (with the exception only of the US and Turkish governments). The pipelines were eventually built only under strong US diplomatic pressure, which was always a mistake. It was a mistake because 'oil security' (the reason given for pursuing the western pipeline routes) is itself a chimera which the West is wasting time, effort and money in pursuing. No producer (especially Iran) can turn off its taps for long without hurting its own economy (Iran's would collapse) or that of its close friends (consider for example what happened when Russia tried to put pressure on Ukraine and instead got howled at by the EU). Even if Iran's finances were not managed by the economically illiterate, Iran could not, however much it might wish, restrict the flow of oil for more than a blip.

Everyone assumes that a nuclear Iran is a problem. That assumption needs to be rethought. Iran has said it is not pursuing a nuclear weapon and such evidence as there is suggests that, at least for the moment, it is not doing so. Current Western foreign policy is only goading Iran into pursuing nuclear weapons. It would be far better to concentrate on how to deliver nuclear materials to it and ensure its safe use rather than continually raising the temperature over the prospect of a nuclear-armed Iran. It achieves nothing other than antagonising an important neighbour of Azerbaijan. Sanctions on Iran are an obstacle to the establishment of greater openness and freedoms in Iran and an ailing Iranian economy can in no way be good for Azerbaijan.

Finally, on Iran's position in the region, the quicker all participants realise that Iran *is* an important regional player the better; and it is counter-productive and unrealistic to try to keep it out of discussions that affect it. Let us not forget that

Iran's recent tactical successes have only happened against the backdrop of the invasions of Afghanistan and Iraq (both countries bordering Iran) and Israel's 2006 invasion of Lebanon (an action aimed at Iran's ally Hezbollah). Were any of these acts of aggression taken without thought being given to the reaction in Iran? If so, that would have been extremely negligent. In any event, Iran did help the US against the Taliban and have blown hot and cold over Iraq. Iran has at times been constructive and at other times destructive. Encouraging the former should be the aim of any worthwhile Azerbaijani foreign policy.

** The views expressed in this article are those of the author and not those of any body or organization.*

A CHRONOLOGY OF AZERBAIJAN'S FOREIGN POLICY

I. Key Government Statements on Azerbaijan's Foreign Policy

Speaking to the Baku conference of ministers of culture of the Council of Europe, President Ilham Aliyev denounces Armenia's destruction of cultural monuments in the occupied territories and calls on all the countries to join in what he described as the Baku Process to strengthen the defense of all such monuments not only there but throughout Europe and the world (<http://www.day.az/news/politics/138917.html>).

Foreign Minister Elmar Mammadyarov in Helsinki for the anniversary of the founding of the OSCE calls for the organization to devote at least as much attention to the resolution of conflicts as it does to issues of human rights. That is necessary to guarantee in Karabakh "a normal life for both Azerbaijanis and Armenians" living there. He adds that Baku hopes that Armenians "understand" that this is "our position" and will "also support it" (<http://www.day.az/news/politics/139359.html>).

II. Key Statements by Others about Azerbaijan

Terry Davis, the secretary general of the Council of Europe, says in Baku that he very much regrets that "the visit of the PACE mission on culture and cultural heritage to Azerbaijan and Armenia has been put off. This is connected with the fact that the two sides have disagreements" (<http://www.day.az/news/politics/138923.html>).

William Burns, US under secretary of state for political affairs, says in Baku that Washington would like to see a redoubling of efforts to resolve conflicts like the one over Karabakh and believes that the Minsk Group is an important venue for that, although he adds that bilateral talks are also important (<http://www.day.az/news/politics/139363.html>).

The leadership of the Council of Europe decide not to discuss the issue of the presidential elections in Azerbaijan, according to Samed Seidov, the head of the Azerbaijani delegation there (<http://www.day.az/news/politics/138925.html>).

Goran Lenmarker, the special rapporteur on South Ossetia and Nagorno-Karabakh for the OSCE Parliamentary Assembly, says that 2008 has been "a very good year" in talks about the latter issue and expresses the hope that the border between Armenia and Turkey will soon be open (<http://www.day.az/news/politics/139344.html>).

III. A Chronology of Azerbaijan's Foreign Policy

15 December

Foreign Minister Elmar Mammadyarov receives the new Hungarian ambassador to Baku, Jeno Boros, as well as his departing predecessor Istvan Szabo (<http://www.day.az/news/politics/140460.html>).

Foreign Minister Elmar Mammadyarov receives the new Belgian ambassador to Baku, Philippe Getardi (<http://www.day.az/news/politics/140429.html>).

13 December

Deputy Foreign Minister Vagif Sadykhov says that Baku does not plan to have embassies in all 192 member states of the United Nations but will continue to use Azerbaijani representatives in international organizations to maintain contacts with those states it recognizes but does not have a mission in (<http://www.day.az/news/politics/140188.html>).

Movsum Samedov, the head of the Islamic Party of Azerbaijan, calls for the closing of the Israeli embassy in Baku to protest Israeli actions in the occupied territories (<http://www.day.az/news/politics/140269.html>).

12 December

Novruz Mammadov, head of international relations department of the administration of the President of Azerbaijan, says that Ilham Aliyev will meet his Armenian counterpart for the next round of talks about the occupied territories sometime at the beginning of 2009 (<http://www.day.az/news/politics/140099.html>).

11 December

Shain Abdullayev, Azerbaijan's ambassador to Kuwait, says that President Ilham Aliyev will visit that country during the first quarter of 2009 (<http://www.day.az/news/politics/139930.html>).

Prague announces that it will open an embassy in Baku in the second half of 2009. The announcement follows a visit to the Czech capital by Azerbaijan Foreign Minister Elmar Mammadyarov (<http://www.day.az/news/politics/139928.html>).

10 December

President Ilham Aliyev receives Sheikh Mubarak bin Fahda Jasum al-Sani, the arriving Qatar ambassador to Baku (<http://www.day.az/news/politics/139838.html>).

Foreign Minister Elmar Mammadyarov attends the ninth session of the EU-Azerbaijan Cooperation Council in Belgium and also meets with NATO officials, including that organization's secretary general Jaap de Hoop Scheffer (<http://www.day.az/news/politics/139802.html>).

The Azerbaijan foreign ministry says the OSCE statement concerning foreign broadcasts in Baku "contradicts" that organization's mandate (<http://www.day.az/news/politics/139811.html>).

Oktay Asadov, the speaker of the Azerbaijan parliament, postpones his scheduled visit to Tehran (<http://www.day.az/news/politics/139752.html>).

7 December

Azerbaijan's military contingent of 150 officers and men returns from Iraq after completing its mission there (<http://www.day.az/news/politics/139633.html>).

Azerbaijanis mark the 90th anniversary of the parliamentary tradition in their country, one that was suspended but not ended during Azerbaijan's incorporation into the Soviet Union (<http://www.day.az/news/politics/139626.html>).

6 December

Terry Davis, the secretary general of the Council of Europe, says that the winter session of PACE will discuss the presidential elections in Azerbaijan and take note of the positive steps forward in the electoral process in Azerbaijan (<http://www.day.az/news/politics/139576.html>).

5 December

Foreign Minister Elmar Mammadyarov says that certain changes in the Madrid Proposals were discussed at his meetings with the OSCE Minsk Group but he indicates that the participants did not discuss the opening of the Armenian-Turkish border prior to the resolution of the question of the occupied territories, as some media outlets had suggested (<http://www.day.az/news/politics/139482.html>).

The Azerbaijan foreign ministry notes that the final communiqué of the NATO foreign ministers "completely supports the territorial integrity of Azerbaijan" (<http://www.day.az/news/politics/139468.html>).

At the Helsinki OSCE meeting, the Azerbaijani delegation distributes a paper on Baku's position concerning the resolution of the Karabakh issue (<http://www.day.az/news/politics/139428.html>).

Deputy Foreign Minister Vagif Sadykhov announces that Azerbaijan will open embassies in Thailand, Croatia and Argentina in 2009 (<http://www.day.az/news/politics/139473.html>).

4 December

Kurshad Tuzmen, Turkish minister of state for foreign trade, says in Baku that Ankara is ready to establish trade ties with Armenia but only after the Karabakh problem is resolved (<http://www.day.az/news/politics/139297.html>).

Hulusi Kılıç, the Turkish ambassador to Baku, says that "on the question of the resolution of the Karabakh conflict, Turkey has always been on the side of Azerbaijan" (<http://www.day.az/news/politics/139261.html>).

3 December

Foreign Minister Elmar Mammadyarov meets his Armenian counterpart Eduard Nalbandyan and the Minsk Group co-chairs in Helsinki (<http://www.day.az/news/politics/139183.html>).

Nushiravan Maharramli, the head of Azerbaijan's National Television Council, says that international agreements as well as Azerbaijani laws will govern the question of future international rebroadcasting in Azerbaijan (<http://www.day.az/news/politics/139210.html>).

Azerbaijan opens a new administrative building for its general consulate in Kars, Turkey. The Azerbaijani consul general there is Hasan Zeynalov (<http://www.day.az/news/politics/139164.html>).

2 December

President Ilham Aliyev receives Terry Davis, the secretary general of the Council of Europe (<http://www.day.az/news/politics/138978.html>).

President Ilham Aliyev receives Farid Mukhametshin, the president of the State Council of Tatarstan (<http://www.day.az/news/politics/138960.html>).

A two-day conference of the ministers of culture of the member states of the Council of Europe opens in Baku to discuss the expansion of inter-cultural dialogue and the protection of cultural monuments (<http://www.day.az/news/politics/138917.html>).

Azerbaijan Defense Minister Safar Abiyev receives Sheikh Halif bin Ahmed al-Halif, the commander of Bahrain's defense forces (<http://www.day.az/news/politics/138960.html>).

Azerbaijan accedes to the international convention on the struggle with nuclear terrorism with the proviso that its provisions do not apply to the occupied territories (<http://www.day.az/news/politics/139041.html>).

1 December

President Ilham Aliyev receives Magomed Yunis Ghanuni, the head of the National Assembly of Afghanistan (<http://www.day.az/news/politics/138822.html>).

President Ilham Aliyev receives Ali Babajan, the foreign minister of Turkey. The Turkish visitor is also received by Azerbaijan's prime minister and foreign minister (<http://www.day.az/news/politics/138790.html>).

Note to Readers

The editors of "Azerbaijan in the World" hope that you find it useful and encourage you to submit your comments and articles via email (adabiweekly@ada.edu.az). The materials it contains reflect the personal views of their authors and do not necessarily represent the views of the Azerbaijan Diplomatic Academy or the Ministry of Foreign Affairs of the Republic of Azerbaijan.