

Position Paper: EU-Azerbaijan Strategic Partnership Agreement – Call for a Comprehensive Package of Reforms

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Introduction

In the Joint Declaration of the Eastern Partnership Summit, signed on 24 November 2017, the EU and Azerbaijan confirmed their will to deep and comprehensive cooperation. We believe that the deepening of relations between the EU and Azerbaijan is based on the joint commitment to core values and principles of democracy, the rule of law and good governance, respect for human rights and fundamental freedoms.

We consider that the Armenia-Azerbaijan Nagorno-Karabakh conflict negatively affects economic prosperity, the democratisation process and promotion of human rights. In our view, it should be resolved in a peaceful way – with respect to international norms and human rights, applied to all without discrimination.

Our vision is a free Azerbaijan, concerned with (full) provision of human rights and individual freedoms, equality of all before the law, with European aspirations and in perspective – EU membership.

The Partnership Agreement will be the main document, guiding the EU-Azerbaijan relations for the years to come and its content will shape and define the future of our democracy, stability and prosperity. We urge both negotiating parties to be fully aware of this responsibility and consequences of this document for the people and the future of Azerbaijan, as well as the EU as a whole.

1. We, **individual members** of the **Eastern Partnership Civil Society Forum Azerbaijan National Platform**, call upon the **European Union** and the **Government of Azerbaijan** to consider:

- To refrain from reducing the country's role to a mere provider of energy security in the region and/or to the EU, but to explore its full potential for reform
- To prioritise political reforms – the biggest and most substantial part of the draft agreement should address political reforms. We believe that these changes will lead to further reforms in all other areas, and will directly impact energy security, stability and prosperity – benefitting both Azerbaijani and EU citizens
- To take into account the importance of human rights issues – particularly the release of political prisoners, in light of the European Parliament position, making it clear that it will not ratify a deal with Azerbaijan, unless the country improves its human rights record
- It is worth remembering that a separate resolution was adopted with an overwhelming majority in July 2018

- To enhance transparency and public participation in the negotiation process – we also expect the negotiating parties to strive for maximum transparency and include permanent consultations with civil society organisations, as well as the people of Azerbaijan, the beneficiaries of future agreements
- To start the reform process in line with “Eastern Partnership – 20 Deliverables for 2020 Focusing on key priorities and tangible results”

2. The **future EU-Azerbaijan Strategic Partnership Agreement** should ensure that:

- All legal and political conditions enabling civil society to function are in place – and all the restrictions on its activities are withdrawn from the legislation
- All rights and freedoms are provided by law and in practice – the law on political parties reflects democratic standards, the legislation affecting the freedom of assembly is improved
- The independence of judiciary is guaranteed, protection of lawyers from disbarment is enhanced, as well as the legal representation institute before the domestic courts is restored
- Economic, social and cultural rights are respected, with particular attention to the protection of private property at all levels. This extends to the problem of illegal demolition of properties, which should be prevented by the courts
- The Electoral Code is amended according to the recommendations coming from international organisations, such as Venice Commission of the Council of Europe (CoE) and Organization for Security and Cooperation in Europe–Office for Democratic Institutions and Human Rights (OSCE-ODIHR), and that all conditions for free and fair elections are provided
- Anti-discrimination law is adopted, as well as the CoE “Convention on preventing and combating violence against women and domestic violence” (Istanbul Convention) is ratified and implemented, in line with the recommendations put down in “20 Deliverables for 2020”
- Fighting corruption is based on society engagement, transparency in business deals, including those between Azerbaijan and the EU and obligation to provide annual income declarations from all public officials without exception
- Negotiations on visa liberalisation, which have already started, culminate in an agreement – that is signed as soon as it is possible
- An effective civil society-run monitoring mechanism, addressing the implementation of partnership agreements is created

3. In the area of **economy**, strive for the following outcomes:

- De-centralisation and de-monopolisation of national economy leading to real diversification (of the economy) and its exports, which must be fully implemented
- Transparency and accountability in the public finance management system – including sound reporting of state-owned enterprises must be improved from their current state

- Accelerate the accession to the World Trade Organisation (WTO), followed by the signing of Deep and Comprehensive Free Trade Agreement (DCFTA)
- Improve the effectiveness of healthcare and education systems, upgrade to social services
- Improve environmental protection through energy-saving measures and promoting alternative energy sources, including their development
- Accelerate the pace of economic reforms – contribute to the creation of a competitive market economy that does not depend on the conjuncture of the world energy market, based on:
 - a) Freedom of private initiative and equal conditions for all before the law
 - b) Guarantee of property rights
 - c) An effective, independent judicial system

This year, our country is celebrating 100th anniversary of the first modern nation state – a democratic Azerbaijan People’s Republic. Although short-lived (1918-1920) due to the occupation by the Red Army, it laid foundation for the modern state and nation of Azerbaijan. It is worth pointing that Azerbaijan was the first democratic republic based on a liberal constitution in the Muslim East.

Besides laying the foundation for the future state, independence initiated a democracy-building process, similar to the ones happening in parallel in Europe. M. E. Rasolzade, and other founders of the first democratic Azerbaijan, had a vision of the country and its nation – with respect for individual freedom, equality before the law and dignity for all. This vision placed Azerbaijan among the most advanced democratic European states. The Parliament adopted some of the most progressive and democratic laws of its time – for example, on media freedom, women’s suffrage and others, in many cases before similar measures were adopted in some Western European countries.

Now, 100 years after, Azerbaijan stands before a unique opportunity to join Europe – just as the founders of the first republic would have envisaged it. Azerbaijani civil society sees that its people, and the country, have enormous potential in undertaking ambitious reforms. We saw ample of evidence of this already at least twice in the last century – in 1918 and the early 1990’s.

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More Information

The Eastern Partnership Civil Society Forum (EaP CSF) is a unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms.

For more information, please visit the EaP CSF website at www.eap-csf.eu