

Post-Aliev Era Has Already Started

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Azerbaijani President Heidar Aliyev's poor state of health and related speculations are refocusing attention on the future of country and political stability. The emergence of a number of political alliances and groups has fueled some speculations that Aliyev's eventual departure from political scene is quite possible. The popularity of Aliyev regime is vanishing day by day. Some political observers ironically draw the attentions to the similarities between Aliyev's regime and his health.

Once more Azerbaijan, which suffered a lot from the power struggles in the past, is about to enter a sensitive period. The presidential election is approaching, but uncertainty persists surrounding the legislative basis that will regulate this campaign. Five months have already passed since the draft election law was publicized. But this period was not sufficient for the government and opposition to agree on the final draft of the law. The efforts of international organizations to bring the representatives of the main political parties together were not successful. It was expected that the escalation of the situation around the draft election law was inevitable. But adoption of the law without taking major political forces into account could exacerbate the current tension. The last development in Milli Meclis (Parliament) indicates that the government has not taken this factor into account.

Opposition deputies left the Milli Meclis on 1 April to protest the attempts of speaker Murtuz Alesqerov to prevent them from speaking in the article-by-article debate on draft election legislation in its second reading. Alesqerov first proposed cutting the amount of time each deputy could speak from 10 to five minutes. Then he attempted to deny opposition deputies the opportunity to speak on the related article of the law outlining the composition of election commissions. The over-representation of the current leadership on election commissions is the aspect of the new legislation to which the opposition has a great number of objections. The opposition threatened a long-term boycott of parliamentary proceedings. But opposition and majority deputies agreed later on 1 April that the opposition would have the opportunity to outline its objections to the draft law and opposition deputies showed up for the morning parliament session on 2 April. The above mentioned so called opposition deputies are the pro-government ones listed and elected by Aliyev regime. It is necessary to clarify an important fact that the real opposition parties are not represented in Milli Meclis.

Last year in April, President Heidar Aliev reaffirmed his intention to run for a third presidential term in the upcoming October 2003 elections. Aliev added that his son Ilham will not participate in the ballot as the ruling Yeni Azerbaijan Party will field only one candidate.

State institutions, local organizations, youth organizations and trade unions have been also involved in President Aliev's propaganda campaign. The State Committee on Azerbaijanis Living Abroad has taken the first step in this direction. When this Committee was created, it was obvious that it would be engaged in providing support for Aliev from Azerbaijanis living abroad rather than in fulfilling its formal functions. Some observers even predicted that the committee would generate a split among Azerbaijani Diaspora organizations throughout the world. The recent developments indicate that these forecasts are coming true. As the presidential elections approach, the number of statements supporting the president from state, local and other institutions have increased dramatically.

Confederation of Azerbaijani Trade Unions unanimously proposed President Heidar Aliev as a candidate for the presidential elections. Although the date of the elections has not been announced and despite the continuation of the discussions on the new draft election law, the

opposition has evaluated Aliev's nomination as the unofficial beginning of election campaign. Red Crescent Society has also the similar position on his candidacy.

Various local organizations are supporting candidacy of Aliev for the upcoming presidential elections. But under current laws these institutions are not allowed to deal with politics and to nominate a presidential candidate. According to the law on trade unions, they cannot play an active role in politics. The nomination of the president is a political decision. According to the regulations, Red Crescent Society has no right to deal with politics. This demonstrates that Aliev's team has begun an election campaign long before the ballot. It clearly shows that the government has learned a serious lesson from the 1998 elections.

It is not clear if Aliev has the legal right to run for a third term. According to Chapter 3, Section 6, Article 101/V of the Constitution of the Republic of Azerbaijan, "No person can be elected president of the Republic of Azerbaijan more than twice." Aliev was first elected to that post in October 1993 (before the constitution was adopted) and re-elected for a second term in October 1998. Aliev himself has argued that his first presidential term does not count as it began prior to the adoption of the present constitution.

The Chairman of Constitutional Court explained that the constitution has a number of temporary provisions. One of them stipulates that the limitation on the number of presidential terms applies only to terms that started after the adoption of the constitution in November 1995. Opposition leaders claim that temporary provisions violate the basic principles of the constitution and are therefore invalid. The legality of Aliev's bid for a third presidential term is one of four issues that nine opposition parties recently referred to the Constitutional Court.

In 1998, several opposition party leaders boycotted the presidential election to protest perceived flaws in the new election law. Despite the boycott, Musavat Party with the support of Azerbaijani Popular Front won more than 65 percent of the votes, but Aliev declared his own party YAP as victor. Several western countries and international organizations confirmed that Musavat Party was the winner of the elections. But despite a similar dispute over the new draft election code, It seems that the opposition has no intention of boycotting the elections this time. Up to now, 6 leaders of political parties openly stated that they would be candidate for the upcoming president elections.

The draft law must be adopted by the middle of April. But the course of the discussions shows that it is unlikely to happen till the mid of April. Even if the code comes into force by that time, the preparation of its final version will take a long time. The government tries to get more time to strengthen its position so the lost time serves for the government's best interest. Therefore the opposition has sharpened the tone of its latest statements. The opposition parties now warn that forging the outcome of the ballot could lead to a civil war. Such a development of events is not desirable, of course. But these statements can no longer be considered as an empty words and declarative activities. The risk of a civil war is very real.

Only six months remain until the presidential elections, political parties struggling for the presidential post are trying to unite their forces and to announce a single candidate. It is not excluded that at the beginning of the election campaign alliances or groups within the opposition will turn into election blocs. The first step in this direction was made last weekend when the Democratic Congress, created in 1993 and composed of 13 political parties, nominated the Chairman of Musavat Party Isa Gambar elections as its unique candidate for the presidential elections. Gamber is also the president of Democratic Congress and the leader of the main opposition party. Not only potential opposition parties, but also smaller ones are very active nowadays.

One of the amendments to the Azerbaijani Constitution carried out last August was related with duties of the president transferred to the prime minister should the president become incapacitated or die in office. There is a general assumption that either before or immediately

following his re-election, Aliev will name his son Ilham as prime minister. In this way Aliev will place his son in a privileged position and set the stage for his successful election as the next president. But some political observers claim that Aliev is clever enough not to appoint his son as the Primer Minister, instead he would prefer someone else who could protect the interests of his family members.

But some government officials fear that Ilham Aliev's advent to power with his team would result with their dismissal from the current posts they occupy. There are such speculations that some of those officials have already made tentative agreements with the opposition leaders such as Isa Gamber, Chairman of the Musavat Party, with the aim of coordinating tactics in a bid to thwart Ilham Aliev's election as president. In the event of domestic political tensions resulting from a standoff between the opposition and the Azerbaijani leadership over the disputed election law, the "conservatives" will do their best to "rock the boat" from within. In return, the opposition will guarantee their personal immunity and possible participation in a new opposition-led government, should the opposition come to power.

Lack of financial and political support and some domestic problems weakened the position of the opposition in the past. The passivity of the opposition was the main reason why the power struggle was not going on between opposition and government but among ruling elite. The political atmosphere and the general situation has dramatically changed recently, partly because of poor health conditions of the president Aliev and other domestic and international factors. Under the leadership of Isa Gamber, some opposition parties are united in Democratic Congress. The latest developments in and abroad indicate that Musavat Party has the greatest potential to mobilize the masses and to come to power in a democratic way if just and democratic elections are held.

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