

A Z E R B A I J A N

SECTION A

Capital

Baku 1,149,000 (1990 est.)

Area

86,600 sq km (33,378 sq mi)

Form of government

Presidential Republic with unicameral legislature

GDP—per capita

Purchasing power parity—\$1,770 (1999 est.)

Population

7,908,224 (July 1999 est.)

Ethnic composition

Azeri	90%
Dagestani Peoples	3.2%
Russian	2.5%
Armenian	2%
Other	2.3%

Note: almost all Armenians live in the separatist Nagorno-Karabakh region

Official language

Azerbaijani

Minority languages

Russian, Armenian, others

Legislation dealing with the use of languages

Constitution of the Azerbaijan Republic, adopted on November 12, 1995

Law on The State Language, adopted on December 22, 1992

Background notes

In 1806, the Russians conquered Azerbaijan, a region of Turkic Muslim people. In 1918, Azerbaijan declared independence from Russia, but was incorporated into the Soviet Union in 1920. It again declared its independence on August 30, 1991, following the collapse of the USSR. The conflict between Azerbaijan and Armenia over the Nagorno-Karabakh region is still unresolved after 10 years and Baku has yet to settle disputes with its neighbors over oil rights in the Caspian Sea. During the war, Karabakh Armenians declared independence and seized almost 20% of the country's territory, creating some 750,000 Azerbaijani refugees in the process. Both sides have generally observed a Russian-mediated cease-fire in place since May 1994.

Armenia supports ethnic Armenians in the Nagorno-Karabakh region of Azerbaijan in a longstanding, separatist conflict against the Azerbaijani Government. Caspian Sea boundaries are in dispute among Azerbaijan, Iran, Kazakhstan, Russia, and Turkmenistan.

SECTION B

The use of language in everyday life e.g. education, broadcasting and other

Representatives of national minorities, use Azerbaijani or Russian in their contacts with State organizations. They communicate freely in their own language among themselves as well as in public places in areas where they constitute the majority of the population.

Any representative of a national minority may communicate in any language in judicial proceedings. Moreover, the Constitution of Azerbaijan establishes the right of any person to use his or her own language in judicial proceedings in areas where a national minority constitutes the majority of the population.

The languages of all national minorities living in Azerbaijan are offered in schools. These languages are taught in the initial classes of secondary schools for general education, and the courses are elective and not mandatory. Teaching of the languages of national minorities and their national cultural values takes place through the use of specially designed syllabuses. In areas where national minorities constitute the main

population, the following higher educational establishments exist: the Lenkoran State University, a branch of the State University of Culture and Art in Guba, and a branch of the Baku State University in Sheiki.

Until 1988, teaching in the territory of the Nagorno-Karabakh region of the Azerbaijan Republic took place in Azrbaijani, Russian and Armenian. However, as a result of the aggression of the Republic of Armenia against the Azerbaijan Republic, about 20% of the territory of Azerbaijan was occupied and everything of historical and cultural value (architectural monuments, schools, institutes, hospitals, libraries, kindergartens) was destroyed. The inhabitants of these areas were forcibly expelled from their places of permanent residence.

About 20 newspapers and magazines are published in Russian in the Republic, and there are broadcasts in Russian on television and radio. Newspapers are also published and radio programs transmitted in Kurdish, Lezgi, Talysh and Georgian.

Did the country ratify any international treaty dealing with the protection of minorities?

Framework Convention for the Protection of National Minorities ratified on June 26, 2000 and enacted on October 1, 2000.

What else can be found about languages and minorities?

The Parliament of Azerbaijan is preparing and discussing a new draft law, which should define the legal basis for the protection of national minorities. The text, according to the Constitution of the State, guarantees equal rights and freedoms for the individuals that belong to minority groups. The draft law's third article states that "no one shall be forced to change its ethnic affiliation", apart from stressing the fact that "the state will not permit any action aimed at forced assimilation of national minorities". On the other hand, the representatives of such minorities are obliged to obey the constitution and the laws of Azerbaijan, and respect the rights and freedoms of persons belonging to other nationalities. As regards linguistic matters, the text contemplates the minorities' rights to use their respective languages in education. In those regions where the majority of the local population speaks a minority language, this can be used, along with the state language, by institutions, official bodies, enterprises and organizations. The problems that arise concerning the final wording of the text are related to the definition of "national minority", which the current version applies to "everybody who is not an Azerbaijani". (May 26, 2000)

SECTION C

Legislation dealing with the use of languages

Updated (August 2001)

Since August 1, 2001, the official alphabet of Azerbaijan is Latin, substituting for the Cyrillic script. Cyrillic replaced in 1939 the Arabic alphabet after several centuries. According to President Aliiev this third switch in less than one century will be the last one. A decree issued months ago finally adopts such measure after parliament's approval back in 1993. All official documents, books, press and public signs must now adapt to the new official alphabet. This change has been criticized by the Russian-speaking population, who feels threatened by possible marginalization.

Updated (August 2002)

THE LAW ON MASS MEDIA

The Law of the Republic of Azerbaijan on Mass Media from July 12, 1999, Article 6 says that in the territory of the Republic the mass media use the state language. Citizens of the Republic of Azerbaijan while composing and disseminating information may use other languages that the population of the Republic of Azerbaijan speaks, as well as the languages widely spread in the world.

According to Article 14 of this law, any citizen of the Republic of Azerbaijan has the right to establish a media outlet.

On July 20, 2001 the President of the Republic of Azerbaijan issued the Decree on Establishment of the National Council on Press, TV, Radio and Internet as well as the Decree on Increasing the State Care of the Mass Media.

LAW ON THE COURTS AND JUDGES

According to Article 14 of the Law of the Republic of Azerbaijan on the Courts and Judges, restriction of the rights of persons not speaking the language of the court proceedings is inadmissible. In cases stipulated by the legislation everyone is provided with the right to use the services of a translator free of charge.

CRIMINAL PROCEDURAL CODE

According to Articles 90.7.11 and 90.7.12 of the Criminal Procedural Code of the Republic of Azerbaijan, a suspected person has the right to testify in the mother tongue and to use assistance of a translator free of charge. According to Articles 91.5.11 and 91.5.13 of the Criminal Procedural Code, defendant enjoys the same rights.

Article 11 stipulates that “on civil and economic disputes the court proceedings are conducted in the state language of the Republic (Azerbaijani) or in the language of the majority of population in this locality. For the persons, participating in the case, but not speaking the language of the court proceedings, the right to get acquainted with all the case files, make statements, give explanations and testimonies, address the court, file a petition, make complaints in mother tongue, and to use the services of translator, is provided and explained. The court documents are handed over to persons, participating in the case, in the language that the court proceeding is conducted in.”

Parties of the criminal proceeding have the similar right to select the language. This right is stipulated in Article 26 of the Criminal Procedural Code.

In accordance with the Criminal Procedural Code of the Republic of Azerbaijan, persons participating in the criminal process, particularly witnesses, victims, suspected and defendants, shall have the right to testify in mother tongue. These persons are provided with a translator, whose services are paid by the State.

EDUCATION

The language of education in the educational institutions of the Republic of Azerbaijan is Azerbaijani. According to the needs of the society and the desire of citizens and institutions, within the framework of the State standards the education can be conducted in the languages of national minorities as well, with compulsory teaching of Azerbaijani, and history, literature and geography of Azerbaijan.

In conformity with Article 6 of the Law on Education, the right to choose the language of education is provided in an appropriate order by means of establishing classes and groups and creating conditions for their functioning.

Source: State Reports, June 4, 2002, Council of Europe,
<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/Toc.htm>

AZERBAIJANI PARLIAMENT PASSED THE LAW ON THE STATE LANGUAGE

The Milli Mezhlis passed the Law on the State Language in its third and final reading on September 30, 2002. This law stipulates that government business and correspondence must be conducted in the Azerbaijani language. This requirement might cause problems for some senior officials who do not speak Azerbaijani fluently.

The law also requires that new dictionaries will be compiled every five years and no more than one sixth of television or radio broadcasting will be in a language other than Azerbaijani.

Source: Minelres Archive, <http://lists.delfi.lv/pipermail/minelres/>, RFE/RL NEWSLINE Vol. 6, No. 186, Part I, October 2, 2002

Updated (February 2003)

A NEW LAW ON THE STATE LANGUAGE BECAME VALID ON JANUARY 4, 2003

According to Azerbaijani Constitution, the law regulates legal status of the Azerbaijani language. It stipulates that knowledge of the state language is obligatory for each Azerbaijani citizen.

Office procedures in state and local self-government agencies, state organizations, political parties, NGOs, trade unions, legal entities, representations and subsidiaries must be in the state language. Correspondence with international organizations or their representations and diplomatic missions will be either in the state language or in a foreign language with an obligatory translation into Azerbaijani.

All television and radio programs in Azerbaijan must be in Azerbaijani. All television and radio anchormen and anchorwomen must have a good command of the Azerbaijani language.

Other foreign languages can be used in addition to Azerbaijani in advertising and services. Size of the signs in a foreign language on billboards cannot exceed the one in Azerbaijani.

Both imported and exported goods must have information about their origin and quality also in Azerbaijani.

The Azerbaijani language is used in law enforcement agencies, armed forces, notary offices and legal proceedings. However, other languages can be used as well in some cases clarified by the law.

Orthographic and orthoepic norms of the Azerbaijani language are approved by an executive branch, which must republish orthographic dictionaries every five years.

Juridical and physical agencies and officials must observe these norms.

The President has also issued a decree about how to apply the Law on State Language. According to the presidential decree, the Cabinet of Ministers is instructed to draft another law dealing with responsibility for violation of the State Language Law.

Source: Minelres Archive, January 8, 2003, original sender - Human Rights Center of Azerbaijan (aihmm@lycos.de), Azer H.Hasret (hasret@juhiaz.org), <http://lists.delfi.lv/pipermail/minelres/2003-January/002491.html>

Updated (July 2003)

MILLI MEJLIS HAS ADOPTED AMENDMENTS TO THE LANGUAGE LAW

On June 10, 2003 the deputies of Milli Mejlis (Parliament) voted unanimously for adoption of the amendments to Article 6 of the Language Law.

According to the document submitted to the parliament by the Head of the State, announcers of all TV and radio channels established on the territory of Azerbaijan and broadcasting in the state language, must have perfect knowledge of the state language and fine articulation. Movies and broadcasts dubbed on radio and TV channels must correspond to officially established linguistic norms.

The law takes effect on the day of its adoption.

Source: Minelres Archive, June 11, 2003, by Kiamil Khamzaoglu, "525 Newspaper," <http://lists.delfi.lv/pipermail/minelres/2003-June/002797.html>

NEW LANGUAGE REQUIREMENTS FOR TV AND RADIO BROADCASTING

Azerbaijan's National Council for Television and Radio adopted on June 25 the Regulations on the Use of the State Language (Azerbaijani) in Television and Radio Broadcasts.

The Council ruled that a minimum of 75 percent of all programs, announcements, and advertisements on both state-controlled and privately owned television and radio stations must be in Azerbaijani.

It also stipulated that announcers and moderators must speak fluent and well-articulated Azerbaijani.

Source: Minelres News, July 16, 2003, RFE/RL Media Matters Vol. 3, No. 24, 30 June 2003, <http://lists.delfi.lv/pipermail/minelres/2003-July/002834.html>

Where does one observe language to be a problem in the country?

Updated (October 2002)

LANGUAGE LAW CONTROVERSY

The Azerbaijani National Language Act has been prompted by fears that the Azerbaijani language is in jeopardy as a result of the fact that Russian has gained pre-eminence in recent years and schools teaching it have multiplied. Thus this act is designed to limit the use of Russian in the country.

The Democratic Congress of Azerbaijan (DCA) deputy and poet Sabir Rustamhanly said the legislation is aimed to encourage Russian-speakers to learn the language of the country they are living in. "Russian schools are also funded from taxes of the Azerbaijani citizens what means that they pay to promote teaching of a foreign language in their country. If Russians want to have schools here, let them pay for them," he said.

However, it's not only Russian education that's under pressure. Vahid Nahysh, the president of the private broadcaster ANS, wanted the government to revoke three free public channels allotted to Russian television companies ORT, NTV and RTR and give them to local broadcasters instead. "Those who wish to watch Russian television are free to buy a satellite dish, like they have to do in Georgia," said Nahysh.

Of Azerbaijan's 8 million people, between 30,000 and 50,000 are ethnic Russians. However, other minorities including Turks, Jews, Georgians, Lezghinians, Talysh, Armenians, Ukrainians, etc. also use the Russian language. According to the estimates, overall more than 2 million residents, many of them ethnic Azerbaijanis speak Russian at home and at work.

Ethnic Russians fear that the legislation introduced to bolster the Azerbaijani language will discriminate against them so they naturally oppose this government's drive.

"The national language bill should not have been passed," said Viktor Tatarenko, a deputy chairman of the Russian Community of Azerbaijan and an editor-in-chief of the "Sons of Azerbaijan" because "it contradicts recent treaties between Azerbaijan and Russia, infringes people's rights and is undemocratic."

Noticeable changes have occurred since the bill took effect. An increasing number of employers rejected all job applications that were not written in Azerbaijani. Maleika Abbaszade, a dean of admissions in a public admission board, explained that all official documents must be written in Latin, not Cyrillic script. The country has been striving to return to the Latin alphabet since it gained independence in 1991. Stalin had imposed Cyrillic script in Azerbaijan in 1936, as an apparent attempt to sever ethnic and cultural ties between the country's Turkish community and their ancestral home. However, Abbaszade believes that any Azerbaijani citizen finishing secondary school must be able to at least apply for a job in the national language.

Most of Baku's 17 public and private colleges have Russian departments. This year colleges received 44,000 applications from Azerbaijani language schools graduates and about 7,000 applications from Russian language schools graduates.

There is also a difference in education levels between Russian and Azerbaijani departments. Azerbaijani language schoolbooks are either very

old or non-existent, and professors who were trained in local pedagogical colleges are not rated very highly.

The authorities have dismissed rumors that Russian language schools will be closed. "Russian is an international language and it makes no sense to discriminate against it," said a parliament deputy Ibrahim Isaev. "Instead of trying to close down Russian schools, why don't we focus on improving Azerbaijani ones?" "As far as I know, Russian will be taught in Azerbaijan as long as it has an audience," said Arif Muradov, a deputy chief of the department of schools at the Ministry of Education. "We cannot afford to alienate the Russian community, so the government will continue to subsidize its schools."

Source: Minelres Archive, <http://lists.delfi.lv/pipermail/minelres/>, by Qamal Ali, a journalist, for the "Zerkalo" newspaper in Baku, Institute for War & Peace Reporting (info@iwpr.net), Issue 138, July 19, 2002

The use of language in everyday life e.g. education, broadcasting and other

Updated (April 2002)

TALYSHI LANGUAGE

The Talyshi language, being a member of the Irani language family, belongs to the Indo-European language group. The specialists consider this language to be related to the old Avesta language.

Historically, Talyshi has been the native language of the people living in the Talyshi region in south east of Azerbaijan, in the provinces of Gilan and Ardabil and in two provinces of the Islamic Republic of Iran (Zenjan and Gazvin).

The information about this language differs and depends on the sources.

- According to Mr. **Ali Hasir**, the Director of the Talysh Human Rights Project in Azerbaijan, more than one million people use Talyshi language in every day life. This language was prohibited in 1930's, during the Stalin regime, when the schools teaching in Talyshi were closed; newspapers and other media were suspended. Even after Azerbaijan gained its independence, the Talyshi language was not rehabilitated and the progress in this field is not satisfactory. Though the Talyshi language is taught at the elementary schools in the districts of Masalli, Astara, Lenkaran and Lerik, Mr. Hasir feels there are many obstacles for this language in Azerbaijan - no suitable textbooks, no newspapers, television and radio in Talyshi language, etc.
- According to Mr. **Azer H. Hasret**, Chairman of the Azerbaijan National Committee, the situation is different. The Talysh-speaking

population does not exceed 150,000 people. Talyshs and their language were never repressed by the national majority of Azerbaijan. Instead, they used their language freely and today they have the same rights as the other nationalities including Azerbaijan Turks. There are mass media in the Talysh language in Azerbaijan. For example the weekly newspaper "Talyshi Sado" (Voice of Talysh) or some programs in state radio. The Talysh language is not prohibited in Azerbaijan.

- Mr. **Eldar Zeynalov** from the Human Rights Center of Azerbaijan also confirms that nobody from Azerbaijani officials prohibits or represses the Talysh speakers. On the other hand, he admits that nobody supports this minority language as well. The school textbooks in Talysh were printed four years ago. There also is no official support of media in the Talysh language despite of special decree of Azerbaijani President of 1992. Official explanation of this situation is that the schools with the Azeri language of instructions are in bad situation as well. The hidden motif could be fear that active propaganda of Talysh culture would provoke a revival of ethnic separatism in the region as in 1993 when for 2 months a self-proclaimed "Talysh Mugan Autonomous Republic" existed. Mr. Zeynalov considers the passiveness of Talyshes themselves to be negative. Nobody would object to re-printing the textbooks, and the businessmen from this rich agricultural region (Lenkaran zone) could help with that. Also, there is a numerous Talysh Diaspora in many countries, which in principle could deal with financial support of publications, sponsorship of cultural events, etc. However, they prefer to wait for assistance from the state that is weakened by war, economic stagnation and corruption.

RUSSIANS

According to 1989 Census, there were 392,300 ethnic Russians living in Azerbaijan, or 5.3% of the Republic's population. The latest Census (1999) showed that over the past 10 years the number of Russians in Azerbaijan has dropped to 141,700 or 1.8% of the population.

The Russian exodus from Azerbaijan peaked between 1990-1995 in a "period of political and economic instability in the republic." On the other hand, restored stability and power centralization and its concentration in the hands of President Geidar Aliyev followed by consistent improvement of macroeconomic indicators brought the "migration process in Azerbaijan in line with the standards characteristic for civilized states." By early 1996 stability in the country was restored and the exodus of ethnic Russians from Azerbaijan had effectively stopped.

According to the Azerbaijan's Constitution all citizens have equal rights and obligations. This means that the rights of ethnic minorities to work, education, medical care, pension, military service, etc., are not in any way

infringed. However, it is increasingly obvious that there are no special state programs to support ethnic minorities in the Republic.

Ethnic Russians in Azerbaijan have no problem to be educated at secondary or higher level in their native language and to get information from the Russian-language mass media. The mainstream Russian TV channel program is broadcast in Azerbaijan; there are about 20 local newspapers and magazines in Russian while any periodicals published in Moscow are available through subscription.

So, if an ethnic Russian living in Azerbaijan has a stable income, there is no reason to leave the Republic. Admittedly, things are very different when there is no income. It is extremely difficult to get a new job. The Azerbaijan society is very clannish and it is, therefore, hardly surprising that Russians are the first to be sacked and the last to be employed.

It is noteworthy that there is not a single ethnic Russian holding the position of department chief in the Presidential Staff or the Cabinet of Ministers. Likewise nearly all state company managers represent the indigenous nationality. A few Russians heading private companies are rather an exception to the general rule.

Furthermore, even if an ethnic Russian in Azerbaijan does have a job, this does not always mean that he has no financial problems. Thus, in 2000 the average monthly wage in the republic was a mere 205,700 manat (approximately \$ 45) as compared to 2,400 rubles (\$ 85) in Russia. It will be appropriate in this context to recall that economic reasons forced more than 1 million Azerbaijanis to leave their country and seek employment in Russia. Obviously, this is the only option open to ethnic Russians who find themselves out of work in Azerbaijan.

Unlike the exodus of Russians in 1990-1995, this actually fits the definition of "migration processes characteristic of civilized states." These processes, however, are affected by a number of factors that are not directly related to the economic situation in the country. One is a possible aggravation (including a civil war) of the internal political situation in Azerbaijan, resulting from the power struggle. Another one can be a rise in anti-Russian sentiments during a period of possible political instability. There is a strong belief in Azerbaijan that the war in Nagorny Karabakh was lost because Russia had been helping Armenia with weapons and even troops. In other words, the loss of Karabakh is blamed not so much on the Armenians themselves as on the Russians.

A combination of these two factors could produce a result similar to that brought about by migration in the first half of the 1990's. But even without that, the number of ethnic Russians in Azerbaijan will continue to decline steadily. Young people link their future with Russia, meanwhile, middle-aged Russians have to choose between following their children who have

settled in Russia or sharing the fate of the older generation in Azerbaijan (the average pension is 72,000 manat, or \$ 15 a month).

As a result of this evolution, in 10 to 20 years, whatever ethnic Russians will be left in Azerbaijan may be either at the Russian Embassy in Baku or in mixed Russian-Azeri families.

Source: By Vladimir Mishin, Moscow News, April 18, 2001

Updated (August 2002)

MEDIA

In Azerbaijan radio and television broadcast, books, magazines and newspapers are published in the languages of the various national minorities living in the country. Thus the Republic radio regularly broadcasts in the Kurdish, Lezgin, Talysh, Georgian and Russian languages, which are financed from the state budget. The local radio station in the Belokan district organizes broadcasts in the Avar language, while in the Khachmas district they broadcast in the Lezgin and Tat languages. In the Gusar and Khachmas districts local television broadcasts in the Lezgin language.

In the city of Baky over dozens newspapers are published in Russian, and there are daily radio and television broadcasts in this language. The Russian programs of ORT, RTR and NTV are relayed in full content. Newspapers are also published in the Kurdish, Lezgin, Talysh and Georgian languages receiving financial assistance from the state. In particular, the newspapers "*Samur*" and "*Dengi Kurd*" are published in the Lezgin and in Kurdish languages respectively, while in the Gusar district the newspaper "*Gusar*" is published in Lezgin. The Jewish society "Sokhnut" publishes the newspaper "*Aziz*."

EDUCATION

According to Article 6 of the Law of the Republic of Azerbaijan on Education from October 7, 1992 and Article 3 of the Law of the Republic of Azerbaijan on the State language, education may be carried out also in languages of national minorities.

In thirteen districts of Azerbaijan (Gusar, Balakan, Masalli, Samuh, Lenkoran, Lerik, Ismayilli, Astara, Oguz, Khachmas, Gabala, Zagatala, Guba), in which national minorities live compactly, necessary conditions have been created to study their mother tongue, national customs, traditions and culture. In 398 secondary schools of general education 57,649 children belonging to national minorities study their mother tongue as a separate subject. More than 6,000 children belonging to national minorities attend preparatory classes of 385 schools of general education of the above-mentioned districts. In 245 schools of Lerik, Lenkoran, Astara, Masalli districts 28,949 Talysh pupils study; 23,468 Lezgin pupils attend

113 schools of Guba, Gusar, Khachmaz, Gabala, Ismayilli, Oguz districts and 5,232 pupils in 40 schools of Balakan, Gabala, Khachmaz, Zagatala, Guba and Samuh districts study in elementary classes Avar, Udin, Tat, Tsakhur, Kurdish, Khynalyg and Hebrew languages.

The State's attitude to the language of the people dwelling in the mountain village of Khynalyg is worth noting. Despite the fact the language is spoken only by these villagers and does not fit into any language group, books are published in the Khynalyg language, and a Khynalyg cultural centre operates in the Republic.

In conformation with curriculum, the languages of national minorities are studied 2 hours a week in grades 1 to 4. For studying mother tongue additionally one hour is allotted for Lazgin pupils.

During the last years altogether 17 textbook and books in Lezgin, Talysh, Tat, Kurd, Sakhr and Khynalyg and other teaching aids in languages of national minorities were published and sent to schools. Textbooks "For studying Talysh language," "Talysh – Azerbaijani school dictionary," "Georgian–Azerbaijani–Russian dictionary," and the great deal of methodical literature were prepared to assist in studying languages of national minorities.

The Russian pupils at schools of general education in the country use 116 textbooks, 41 of which were published in 2001. Russians and Russian-speaking population of Azerbaijan have an opportunity to study in mother tongue in full measure and at all stages.

Source: State Reports, June 4, 2002, Council of Europe,
<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/Toc.htm>

Did the country ratify any international treaty dealing with the protection of minorities?

Updated (January 2001)

Agshin Mekhtiev, the permanent representative of Azerbaijan in the Council of Europe, signed the European Charter for Regional or Minority Languages. He signed it in the presence of Deputy Secretary General of the Council of Europe, Hans Christian Krag. At the same time, Mekhtiev also signed the European Charter of Local Self-Government and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Updated (August 2002)

A number of international treaties of the Republic of Azerbaijan with the neighbouring states have the provisions concerning the protection of the rights of persons belonging to national minorities.

Thus, in the Treaty between Azerbaijan and Georgia on Strengthening the Friendship, Co-operation and Mutual Security (March 8, 1996), the parties confirmed their readiness to create conditions to disseminate historical, cultural and language information on Azerbaijan in Georgia and vice versa, to use languages in pre-school, secondary and higher educational institutions and to circulate literature and textbooks in the Azerbaijani and Georgian languages (Article 10).

The parties guaranteed the right of persons belonging to national minorities to exercise wholly and effectively their human rights and basic freedoms and enjoy them without any discrimination and under the conditions of absolute equality before the law, in accordance with the generally recognised international legal norms. The parties also guaranteed the right of persons belonging to national minority freely to express, preserve and develop their ethnic, cultural, linguistic and religious identity and to maintain and develop their culture without subject to any attempts of assimilation regardless of their will.

The Declaration on the further deepening of the strategic co-operation between the Republic of Azerbaijan and Georgia was signed on February 18, 1997, the parties expressed readiness to promote and develop the identity of Azerbaijanis, residing in Georgia and Georgians residing in Azerbaijan, as well as to ensure their rights to enjoy their culture, to profess and practice their religion, to use freely their language in private life and publicly.

In Joint Declaration of the Presidents of the Republic of Azerbaijan and Georgia of March 22, 2000, the Heads of two states once again expressed adherence to democratic transformation, protection of human rights as well as respect of the rights of national minorities.

The similar treaty was signed between the Republic of Azerbaijan and Russian Federation on July 3, 1997.

Source: State Reports, June 4, 2002, Council of Europe,
<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/Toc.htm>

APPENDIX A

MAP OF AZERBAIJAN



APPENDIX B

AZERBAIJAN - CONSTITUTION

(Adopted on November 12, 1995)

(Document Status in 1999)

(Official Title: Constitution of the Azerbaijan Republic)

Article 21

The Azerbaijani language shall be the State language of the Azerbaijan Republic. The Azerbaijan Republic shall ensure the development of the Azerbaijani language. The Azerbaijan Republic shall guarantee the free use and development of other languages spoken by the population.

Article 25

Every person shall be equal to the law and court.

Men and women shall have equal rights and freedoms.

Every person shall have equal rights and freedoms irrespective of race, nationality, religion, sex, origin, property status, social position, convictions, political party, trade union organization and social unity affiliation. Limitations or recognition of rights and freedoms because of race, nationality, social status, language origin, convictions and religion shall be prohibited.

Article 45

Every person shall have the right to use his or her mother tongue. Everyone shall have the right to be raised and get an education, be engaged in creative activities in the mother tongue.

No one can be deprived of the right to use his or her mother tongue.

Note: The complete text of the Constitution of Azerbaijan can be found on an Internet site operated by the American Embassy on Baku.

THE LAW OF THE REPUBLIC OF AZERBAIJAN ON THE STATE LANGUAGE IN THE REPUBLIC OF AZERBAIJAN

(Adopted on December 22, 1992)

Believing that the usage of the Turkic language as the state language is one of the principal conditions for the sovereignty of the Republic of Azerbaijan, it shall take care of its application, preservation and development and shall encourage the Azerbaijanians residing abroad to get education in the native language and to meet their national and cultural requirements.

The present Law shall establish a legal status of the Turkic language on the territory of the Republic of Azerbaijan.

The present Law shall not govern the usage of any languages in private, unofficial relations.

I. GENERAL PROVISIONS

Article 1

The Turkic language shall be the state language of the Republic of Azerbaijan. The work in all state bodies of the Republic of Azerbaijan shall be conducted in the Turkic language. The Turkic language as the state language of the Republic shall be applied in all spheres of political, economic, public, scientific and cultural life and it shall function as a means of interethnic communication on the territory of the Republic.

Representatives of other nationalities shall be encouraged and assisted to study the Turkic language.

Article 2

The legal status and sphere of application of the language in the Republic of Azerbaijan as well as the principles of the usage of languages of peoples residing on its territory shall be established by the supreme state authorities of the Republic of Azerbaijan.

II. THE RIGHT OF CITIZENS TO CHOOSE A LANGUAGE

Article 3

Citizens of the Republic of Azerbaijan shall be guaranteed the freedom to choose a language of teaching.

Nationalities and ethnic groups compactly residing on the territory of the Republic of Azerbaijan shall be granted the right to establish, by means of the state bodies of the Republic, pre-school institutions in the native

language as well as general secondary schools or separate classes and groups in the native language at various educational institutions.

The study, as an obligatory discipline, of the Turkic language which is the state language of the Republic of Azerbaijan shall be provided in educational institutions with teaching in another language.

Article 4

Replies to suggestions, applications, and complaints of citizens of the Republic of Azerbaijan filed to state bodies, shall be in the state language of the Republic of Azerbaijan.

Article 5

The legal proceedings and notary actions shall be in the Turkic language. The participants in a case who do not know the language in which the proceedings are carried out shall be ensured the right to be acquainted with the materials of the case, to participate in the court proceedings through an interpreter as well as to make statements in the native language.

Article 6

Official documents identifying a person or information therein (passport, labour book, military card, school-leaving certificate, diploma, birth, marriage, death certificates etc.) shall be filled up in the Turkic language.

Article 7

Workers of the service sphere (trade, medical service, transport, customer service, long-distance communications etc. shall use in working hours the state language of the Republic of Azerbaijan.

The evasion from customer service under the pretext of lack of knowledge of the language shall be inadmissible.

III. A LANGUAGE TO BE USED IN THE WORK OF STATE BODIES, ENTERPRISES AND ORGANIZATIONS

Article 8

Sessions of the Supreme Soviet of the Republic of Azerbaijan shall be in the Turkic language. Peoples' deputies of other ethnicity in the Republic of Azerbaijan in case of lack of knowledge of the state language of the Republic of Azerbaijan, shall be granted the right to make statements in the other language.

The drafts of laws and of other legal acts submitted for consideration by the Supreme Soviet of the Republic of Azerbaijan, by its commissions shall be presented in the state language of the Republic of Azerbaijan.

Article 9

The laws and other legal acts adopted by the National Assembly of the Republic of Azerbaijan and by its commissions and by the President of the Republic of Azerbaijan, shall be published in the Turkic language.

Article 10

Official publications of acts of state authority and administration bodies of the Republic of Azerbaijan and of the autonomous republic of Nakhichevan, shall be issued in the state language of the Republic of Azerbaijan.

Article 11

The documentation related to elections of the President of the Republic of Azerbaijan, of the Supreme Soviet and local Soviets shall be prepared in the state language of the Republic of Azerbaijan and shall be submitted to the Central electoral commission in that language.

Article 12

The office work at the enterprises, institutions, and organizations being a state property of the Republic of Azerbaijan, shall be in the Turkic language.

The texts of letterheads, stamps and signboards with names of ministries, institutions, enterprises, organizations of the Republic of Azerbaijan and of autonomous republic of Nakhichevan shall be produced in the Turkic language.

Article 13

The Turkic language and the accepted international language shall be used in the operator's communications, documentation and reference information in order to ensure the safe and uninterrupted functioning of the energy and transport systems (principal railway, air, sea, pipe transport etc).

Article 14

The state language of the Republic of Azerbaijan shall be used in the military forces, internal and border guard troops of the Republic of Azerbaijan.

IV. LANGUAGE IN INFORMATION AND NAMES

Article 15

Besides the state language, other languages may be used in the mass media on the territory of the Republic of Azerbaijan.

Printed announcements, communications, advertisements and other visual information may be produced in the state language of the Republic and, where necessary, at the same time in the accepted international language.

Labels of the goods produced in the Republic of Azerbaijan, names of industrial and alimentation goods, instructions for the goods shall be produced in the Turkic language and, where necessary - in the accepted foreign language.

Article 16

The names of settlements, administrative units and other geographic entities on the territory of the Republic of Azerbaijan shall be written in the state language, their writing on maps shall be established in accordance with the special reference books approved by the state.

Article 17

The names of state authority bodies, ministries, state committees and departments, enterprises, organizations and their subdivisions shall be written in the Turkic language.

Article 18

The proper name of a citizen of the Republic of Azerbaijan of Azerbaijanian ethnicity shall be composed of a name, patronymic and family name (patrimonial name). The patronymic shall be used together with the words "ogly" and "guyzy". Every citizen of the Republic of Azerbaijan shall have the right to have a family name in accordance with his national affiliation.

The present Law shall not govern the writing of names and family names of representatives of other nationalities residing on the territory of the Republic.

V. RESPONSIBILITY FOR VIOLATION OF THE LAW ON THE STATE LANGUAGE

Article 19

The officials of all state bodies, enterprises, institutions and organizations in case of being guilty of violation of the Law on the state language shall be called to account in accordance with the legislation of the Republic of Azerbaijan.

Note: We acknowledge with thanks data from the International Organization for Migration (IOM)

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