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**The Formal Political System in Azerbaijan and Kazakhstan.  
A Background Study**

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# 1. Introduction

The text presented here is the background study on the political system in Azerbaijan and Kazakhstan. It deals with the development of the formal political system as well as its practical application. It was conducted by the Research Centre for East European Studies at the University of Bremen in the framework of an international research project on 'The Energy Sector and the Political Stability of Regimes in the Caspian Area: A Comparison of Kazakhstan and Azerbaijan', funded by the Volkswagen Foundation.

The project analyses the influence of a resource-based economic boom on the relationship between political and economic elites and the resulting political and socio-economic development of countries with authoritarian political regimes. Based on case studies of elite interactions and policy-making processes in Azerbaijan and Kazakhstan from 1992 until 2008, the mechanisms through which energy sector-related developments and elites influence policy outputs and political stability will be studied.

In so doing, the project intends to close a gap in the existing literature. The literature on the effects of a resource boom has so far focused on macro-economic ('Dutch disease') and socio-economic ('resource curse') effects, while political effects have received much less attention. Moreover, most of the literature (on the economic, socio-economic and political effects alike) is based on large N studies, where conclusions are drawn from correlations of country-level variables for a large set of countries, while detailed case studies looking at the causal mechanisms at the micro level are rare.

In our analysis, we focus on the direct policy outcomes of the interaction between political and economic elites in Azerbaijan and Kazakhstan since the end of the Soviet Union. The analysis covers four policy issues that are vital for the energy sector as well as for political regime stability and socio-economic development:

1. The regulation of property rights concerning oil and gas fields determines which economic actors can obtain access to resources; the dissemination of access in turn strongly influences the actual composition of the energy sector-related economic elites, with the most obvious example being the degree to which foreign investors are granted access. At the same time, the regulation of property rights also sets the boundaries for the role of the state, not only as the owner of the resources but also as the producer (through a state-owned company). The regulation of property rights is therefore a key issue for understanding the elite composition in the energy sector and the rules of energy policy-making.
2. Of central importance for regime stability is the use of the revenues generated by the energy sector within an expansive budget policy that can benefit a broad swath of society as well as a small elite in order to either integrate them into the political regime or 'buy' their loyalty (i.e. to discourage their opposition to the regime).
3. In this context, the function of informal processes, which can easily lead to corruption in an economy awash with money, is of great importance. Similarly to an expansive budget policy, corruption can also function as a conduit between elites and greater society that fosters and perpetuates certain behaviours. Corruption also plays a role in the redistribution of wealth and thereby influences socio-economic development. Anti-corruption measures will be examined as a policy issue in the project.
4. A resource boom based on oil or gas can only materialize in a landlocked country after export pipelines have been built. Given that pipelines are designed to operate for decades, the decision on which export routes to use is especially important. The mapping of these routes is not only based on economic considerations, but has a political dimension. Next to profitability, geopolitical considerations often play a vital role in the debate about pipeline options. Pipelines can provide important strategic links between countries and they can be used to create or cement spheres of influence. Through bilateral cooperation and mutual economic dependencies, pipelines can also foster long-term socio-cultural orientations.

The project is based on several detailed case studies, which will be subjected to a common analytical framework to allow for comparison. This form of ‘focused comparison’ or ‘macro-qualitative comparative analysis’ is often seen as a reasonable compromise between the historical-unique study of a single case and strongly generalizing, macro-statistical studies. The empirical work of the project will be conducted in three phases.

In the first project phase, background studies based on existing research on the basic political and economic conditions will be compiled. The background study on the political systems in Azerbaijan and Kazakhstan, which deals with the development of the formal political system, will be presented here. In addition to the secondary literature, the survey is based on official documents, journalistic accounts and statistical data.

The structure of the study includes—with some modification—the categories for the analysis of political systems put forward by Wolfgang Ismayr so as to ensure greater comparability in the examination of the political systems in Western Europe and in other former socialist countries in Eastern Europe conducted in his anthologies. Ismayr, however, covers neither Azerbaijan nor Kazakhstan.<sup>1</sup>

For each country under review, the study presented here analyses the constitutional development followed by a detailed examination of the main formal political institutions, such as the presidency, the executive branch (consisting of government and administration), the parliament, the political party system, the electoral system, civil society, mass media, political culture and political participation, the juridical system and constitutional court, as well as regional and local policy. Statistical data on office holders, as well as presidential and parliamentary election results, will also be provided for each country. The study concludes with a bibliography of the literature used and an appendix with the country rankings related to the political system.

In the literature on Azerbaijan and Kazakhstan, the aspect of the political system is usually submerged in general overviews of the country or the region, or it is split up into its individual institutions. Therefore, the information about the formal political system is either too superficial and imprecise (in parts even inaccurate) or too narrow to sufficiently analyse the political mechanisms and to connect the single institutions into a system of political power (for an overview see Table 1-1).

Exceptions to this rule are few (cf. e.g. Cornell 2001; Gumpfenberg 2002; Shaffer 2004; Badalov/Mehdi 2005; Guliyeva 2005; Gulaliyev 2005) and even these studies seldom employ a systemic approach; they are eclectic. Additionally, they are partly polemical and purely descriptive or they neglect the practical application of formal institutions.

Specifically for Kazakhstan, the aspect of clans and the resulting elite recruitment practices has been highlighted in the literature; it is considered a dominant aspect of political life in the country (cf. e.g. Gumpfenberg 1999; Schmitz 2003; Collins 2003; Schatz 2004; Cummings 2005; Murphy 2006; Collins 2006; Eschment 2007).

To summarize, the existing information on the countries under review can best be described as a patchwork. First and foremost, a general overview of the political system is missing.

1 Ismayr’s (2009, 2010) research structure consists of the following elements: (1) state building and systems transformation; (2) constitutional development and constitutional principles; (3) president; (4) parliament; (5) government and administration; (6) legislative process; (7) election system and voter behaviour; (8) party system and internal structure of decision-making; (9) mass media; (10) political culture/ political participation; (11) juridical system and constitutional court; (12) regional and local policies; (13) international relations and policy towards Europe; and (14) outlook.



Table 1.1: Literature Overview

	<b>Azerbaijan</b>	<b>Kazakhstan</b>
<b>Overviews</b>	Zinin/ Maleshenko 1994; Herzig 2000; Kapidze 2007; Kamrava 2001; Rasizade 2003; Franke et al. 2009	Olcott 1994; Kangas 1995; Brown 1996; Akiner 1998; Miller 2001; Curtis 2003; Merry 2004; Gleason 2004; Franke et al. 2009
<b>Individual institutions</b>		
<b>Elections</b>	Ochs 1998; OSCE 2003, 2006; Babajew 2006; Alieva 2006; Nuriev 2006; Babayev 2006; Nichol 2008	Abazov 1999; Wilshire 2007
<b>Political parties</b>	Ishiyama 2008	Kurganskaya 2005; Junisbai/ Junisbai 2005; D'jacenko 2006; Bowyer 2008; Karmazina 2008a, b, 2009; Lundberg 2009
<b>NGOs</b>	–	Jones Luong/ Weinthal 1999; D'jacenko 2007; Buxton 2009
<b>Local government</b>	Mamedova et al. 2001; Koryakov/ Sisk 2003	Jacob et al. 1994; Paarmann 2007
<b>Media</b>	Gojamanli 1999	–
<b>Constitutional court</b>	Mamedov 2007	–
<b>Juridical system</b>	–	Issenova 2006a, b
<b>Administration</b>	–	Knox 2008

The paper presented here aims to gather all of the information on the formal political systems of Azerbaijan and Kazakhstan and present it in a systematic way. Using Ismayr's scheme, it shows how the individual institutions are intertwined. The paper first and foremost describes how the institutions and rules are formally laid out; it also analyses how these formal institutions are manipulated in practice to protect the ruling elite from any democratic accountability or change of power theoretically provided for by the constitutions of both of the countries under study.

The constitutions of both Azerbaijan and Kazakhstan list all of the fundamental human rights and freedoms and clearly define almost all democratic institutions. Hence, these documents are generally consistent with the formal (Western) criteria of a democratic constitution. However, the practical implementation and interpretation of these fundamental rights depends overwhelmingly on the will and discretion of the executive branch (Kamrava 2001: 229; Badalov/ Mehdi 2005: 156–157).

This background study does not claim to analyse informal institutions, rules and networks in their own right; this is the aim of the project-at-large currently conducted by the Research Centre for East European Studies at the University of Bremen.

## 2. Azerbaijan

### 2.1. Constitutional Development of Azerbaijan

Azerbaijan declared its independence in October 1991 under a pro-Moscow communist leadership that passed the Constitutional Act of Independence of the Republic of Azerbaijan. In the spring of 1992, it was forcibly unseated by the newly-formed Azerbaijan Popular Front (APF). Subsequently, the Popular Front won the first post-Soviet elections and its leader, Abulfaz Elchibey, was elected president on 7 June 1992 (Cornell 2006: 119; Kamrava 2001: 220).

The steady disintegration of the USSR also triggered the emergence of nationalistic sentiments. Secession from Azerbaijan proclaimed by the Armenian community of the Nagorno-Karabakh Autonomous Oblast led to an outright war between Azerbaijan and Armenia. The war has driven many of the political developments in Azerbaijan by causing humiliation and a heavy financial burden due to the loss of territory (agricultural land), refugees, war wounded, increased defence spending, etc. (Zinin/ Maleshenko 1994: 104–105; Gulaliyev 2005: 161; Kamrava 2001: 220).

Despite the war with Armenia, Azerbaijan under the Elchibey government is widely credited for having developed in a democratic direction (Cornell 2006: 119; Zinin/ Maleshenko 1994: 114; Altstadt 1997: 110). Yet due to the disastrous development of the war over Nagorno-Karabakh and the ineptitude of the Popular Front government, this democratic process came to an abrupt halt in June 1993, when a coup d'état led by a rebellious army commander, Colonel Surat Huseinov, brought about the return of former Politburo member and KGB general Heydar Aliyev. Aliyev was made speaker of parliament in a dubious vote in June 1993, a position first in line to the presidency. With President Elchibey flying to Azerbaijan's autonomous republic Nakhichevan as renegade troops closed in on Baku, Aliyev became acting president in accordance with the constitution. In this capacity, Aliyev appointed Surat Huseinov prime minister and held a vote of no confidence in President Elchibey in late August 1993, unseating him. In the following (uncontested) presidential election of October 1993, Aliyev was elected to the presidency (Altstadt 1997: 129; Cornell 2006: 119; Gahramonova 2009: 783).

Since 1993, the Aliyev government has used elements of democratic change to camouflage its efforts to consolidate power and weaken its opponents. The legislative changes included some amendments to the 1978 Constitution of the Soviet Socialist Republic of Azerbaijan and laws on political parties and public organizations (Gulaliyev 2005: 163).

While Aliyev's advent to power has brought stability to Azerbaijan, it also put an end to the country's first democratic experiment. Indeed, the wave of democratic enthusiasm that had swept through the republic in 1991–92 had cooled significantly as early as 1993 (Cornell 2006: 120).

In 1995, President Aliyev institutionalized his rule by drafting a new constitution with provisions for a strong executive branch. In June, he convened a Constitutional Commission, which he presided over, to work on a draft constitution. The new constitution was approved in a popular referendum and came into force on 27 November 1995 (Kamrava 2001: 228–229).

The 1995 constitution proclaims the Republic of Azerbaijan a democratic and secular state committed to the rule of law (Badalov/ Mehdi 2005: 155). Articles 1 to 3 stipulate that the people of Azerbaijan shall be the sole source of state power; as such, they are able to exercise their power through free elections and through referenda, which are the only method of approving amendments to or revisions of the constitution. At the same time, the constitution provides for a strong executive with extensive powers (Badalov/ Mehdi 2005: 156; Kamrava 2001: 228).

The Constitution of Azerbaijan lists (Chapter 3, Articles 24 to 71) all the fundamental human rights and freedoms and clearly defines almost all democratic institutions. Ensuring and protecting those rights and freedoms constitutes the main goal of the state (Article 12). Hence, this document is generally

consistent with the criteria of a democratic constitution (Badalov/ Mehdi 2005: 156–157). However, the practical implementation and interpretation of these fundamental rights depends overwhelmingly on the will and discretion of the executive branch (Kamrava 2001: 229; Badalov/ Mehdi 2005: 157).

The constitutional amendments of 2002 appear to be designed to enable Heydar Aliyev's son Ilham to succeed him as president of Azerbaijan. Whereas the constitution of 1995 specifies that if the president steps down or dies in office, presidential powers are to be passed to the speaker of parliament until a new election is held within three months, under the new amendment this responsibility now falls to the prime minister (Economist Intelligence Unit 2002: 12). Additionally, to win a presidential election in the first round, a candidate now needs to win only a simple majority, rather than the two-thirds majority required under the 1995 constitution (Economist Intelligence Unit 2002: 13).

Under Azerbaijani law, the minimum turnout for referenda to approve constitutional amendments is 50% of the electorate; otherwise, the poll is invalid. However, the opposition claimed that the voter turnout for the 2002 constitutional amendments was much lower than required (Economist Intelligence Unit 2002: 12, 14).

Constitutional amendments in March 2009 further strengthened the president's grip on power by allowing the same person to occupy the presidency of Azerbaijan for more than two terms (Gahramonova 2009: 795).

Table 2.1: Constitutional Changes in Azerbaijan

	2002	2009
<b>President</b>	<p>In case the president steps down or dies in office, presidential powers are to be passed to the prime minister instead of to the speaker of parliament.</p> <p>To win a presidential election in the first round, a candidate needs to win only a simple majority, rather than a two-thirds majority.</p> <p>Abolition of the 50% voter turnout threshold.</p>	Abolition of term limits.
<b>Parliament</b>	Abolition of the proportional electoral system (pure majority system) and the 50% voter turnout threshold.	

## 2.2. The President

The president of the Azerbaijani Republic is elected in general elections for a term of five years. Previously, the president could serve a maximum of two consecutive terms, but term-limits have since been abolished (Article 101). Experiences with the weak presidential position of the early 1990s provided the architects of the new constitution with a strong motive to create a strong presidential power base (Badalov/ Mehdi 2005: 147; see also Kamrava 2001). 'The president bore ultimate responsibility for both domestic and foreign affairs [...]' (Shaffer 2004: 29).

In detail, the powers of the president are defined in Articles 109 to 113 of the constitution. They include the right to:

- call for new elections of parliament,
- appoint and dismiss both the prime minister (appointment upon the consent of parliament) and the members of cabinet (appointment upon consultation with the parliament),

- initiate legislation and to sign laws into force (Article 110 gives the president ample space for manoeuvre in the event that he should for some reason need to reject a law adopted by parliament),
- issue decrees,
- establish and control executive bodies on all administrative levels,
- submit the budget for parliamentary approval,
- approve economic and social programmes to be implemented by the government,
- propose candidates for the Constitutional, Supreme, Arbitrage and other courts, the prosecutor general and the Board of the Central Bank,
- appoint and dismiss superior commanders of the armed forces,
- impose a state of emergency or martial law.

The president can only be removed from office if he is physically incapacitated or has committed a 'serious crime'. Removal requires the approval of 95 of the 125 members of parliament and of the Supreme Court (Articles 104 and 107).

The 1995 constitution contained formal provisions stipulating the separation of power. However, the executive authorities, and especially the president, have large powers and little accountability (Guliyev 2005: 163). One of the executive's tools is the presidential decree, which is exempted from any oversight and has been a 'frequently used mechanism of governance in Azerbaijan' (Shaffer 2004: 29). The presidential administration has monopolized legislative initiative (Badalov/ Mehdi 2005: 145).

With the constitutional amendments of 2002, important changes regarding the succession of the president were made. As stated in the previous section, presidential powers are now passed to the speaker of parliament in the event that the president resigns or dies in office. New elections are to be held within three months; this responsibility falls to the prime minister. Furthermore, a simple majority is now sufficient to win the election in the first round rather than the previously required two-thirds majority (Economist Intelligence Unit 2002: 12–13).

In March 2009, the constitution was amended to allow the same person to occupy the presidency of Azerbaijan for more than two terms.

The reason for the timing of the referendum can be found in the financial crisis, which affects the rent benefits obtained by the extended network of patrons and clients in exchange for their political loyalty to the president. Their loyalty ultimately diminishes societal pressures for political participation and slows down the process of democratization (Gahramonova 2009: 795).

It can be summarized that

[s]ignificant power was concentrated in the hands of President Aliyev, and his immediate clan dominated the political landscape. Privatization became a means for consolidating presidential power, since the president nominated millionaires to influential posts, thereby increasing their dependence on the president's clan. The key positions were filled not by the powerful former nomenklatura but rather by more marginal figures (Gahramonova 2009: 784).

### 2.3. Executive Branch: Government and Administration

Article 99 stipulates that the president is the executive branch of government. The cabinet of ministers is supposed to organize and execute the powers of the president; it is responsible and accountable only to the president (Article 114). The prime minister is nominated by the president and has to be approved by the parliament. If the parliament rejects the president's candidate(s) three times, the president can nominate the prime minister without the parliament's approval (Article 118).

According to Article 119, the powers of the cabinet of ministers include:

- to draft the state budget which is then submitted to the president for approval,
- to guarantee the execution of the state budget,

- to guarantee the execution of the state economic and social programmes,
- to lead the ministries and other central administrative bodies and annul their decisions,
- to decide other issues at the president's discretion.

However, 'executive authorities' generally means the president and his team of advisers; the cabinet somehow remains in the background. Until 2002, the post of the prime minister was largely ceremonial, since most of the power is concentrated in the presidency (Badalov/ Mehdi 2005: 149; Economist Intelligence Unit 2002: 13).

## 2.4. Parliament

The 1995 constitution provided for the independence of the legislative branch from the executive authorities. The unicameral parliament (Milli Majlis) was to consist of 125 members using a mixed majority-proportional electoral system; 100 members were elected in local contests (single seat constituencies) and the complementary 25 from national party lists. Parliamentary elections were to be held every five years (Articles 82–84; Shaffer 2004: 29; Altstadt 1997: 129).

The constitutional amendments in 2002 eliminated the proportional representation of 25 seats in parliament; all 125 seats are now elected using the majoritarian system (Guliyeva 2005: 48; Badalov/ Mehdi 2005: 156; Ishiyama 2008: 53). 'This basically means that the fragmented and weak opposition parties will be further under-represented in future parliaments' (Guliyeva 2005: 48).

Technically, the parliament is independent from the executive authorities (Articles 95–96): it has the right to approve nominations of public officials and even to impeach the president. It can initiate laws and resolutions within its own competence and, among other things, is entitled to appoint judges nominated by the president. One of its key powers is the right to approve the state budget; by doing this, the Milli Majlis can theoretically influence and control the executive authorities (Badalov/ Mehdi 2005: 145; Guliyeva 2005: 55, footnote 12).

In practice, however, the parliament does not control the execution of the state budget, which means that the government is not accountable to the parliament after all (Gulaliyev 2005: 163). In contrast to the executive, the powers of the Milli Majlis are not extensive; it is relegated to a largely reactive role in relation to the presidency (Badalov/ Mehdi 2005: 156).

Since 1995, the Milli Majlis has gradually lost its vigour and independence; members of the opposition have been a minority and thus have not been able to significantly influence the executive authorities. The parliament has been dominated by the president's party and other 'independent' supporters; most of the time, it simply passes the bills proposed by the executive after a perfunctory debate (Kamrava 2001: 233; Badalov/ Mehdi 2005: 144). Since the presidential administration has monopolized legislative initiative, in most cases, the Presidential Commission on Legal Reform drafts a law and then hands it over to the respective parliamentary commission. This is illustrated by the fact that there is no lobbying of laws in the parliament (Badalov/ Mehdi 2005: 145).

As a result, parliament has little if any power and/or incentive to exercise democratic control over the executive, promote democracy or protect human rights and individual freedoms as stipulated by Article 94 of the constitution (Guliyeva 2005: 44; Gulaliyev 2005: 169).

## 2.5. Political Party System

'Family, kinship-based groups and regional networks are the focal social institutions of Azerbaijani society that penetrate and pervade formal governmental structures' (Ishiyama 2008: 40). Azerbaijan's ruling elite is based on several networks that are largely organized along regional and patronage relationships. These networks compete for control of a pyramidal distribution structure that allows substantial funds to be skimmed from the oil business. For that reason, party formation in Azerbaijan is also to a large extent based on regional kinship links and loyalties. This is partly a remnant of

the pre-colonial period, when Azerbaijan was divided into territorially semi-autonomous principalities (Ishiyama 2008: 39, 53).

In Azerbaijan, the political parties can be divided into two groups: those that are part of the governing bloc and therefore have access to rents; and the others (Cornell 2001: 122).

The government bloc consists of the ruling **New Azerbaijan Party (NAP)** and a number of smaller political formations tied to the regime. NAP represents the political and economic interests of the ruling Nakhichevan and Yerei regional networks, which have dominated Azerbaijani political life for decades. A significant number of NAP cadres are well-entrenched and experienced functionaries who served under Heydar Aliyev during his tenure as Communist Party chief in the 1970s. In addition to this 'old guard', the NAP also had a reformist wing, often foreign-trained and grouped around the current president, Ilham Aliyev. In 1999, the reformist wing emerged triumphant at the NAP's Party Congress and has consolidated its hold on the party (Cornell 2001: 122; Ishiyama 2008: 40, 46).

A diversity of opposition parties has gradually developed in Azerbaijan. However, few of them have any real influence on political life because most of them are small, underfunded, and not well known to the public. Most of the major opposition parties have their roots in the Popular Front from the early years of independence; the differences among them centre more on the personalities of their leaders than on political ideology. The opposition parties with the largest degree of popular support are Musavat, Azerbaijan Popular Front Party, Azerbaijan National Independence Party and the Democratic Party of Azerbaijan (Cornell 2001: 122; Guliyeva 2005: 47; Ishiyama 2008: 46; see also Heradstveit 2001: 13).

**Musavat** ('Equality') takes its name from Azerbaijan's first political party, founded in 1911. The party tends to promote the interests of the Nagorno-Karabakh regional network. Musavat benefits from a relatively strong nucleus of activists and has placed itself in increasingly radical opposition to the regime. Its leader, Isa Gambar, a former leader of the liberal wing of the Popular Front and speaker of parliament during the Elchibey presidency, has also gained some support by denouncing the domination of political life by natives of Nakhichevan. Gambar stood unsuccessfully against Ilham Aliyev in the 2003 presidential election. Musavat produces the country's most popular political newspaper, *Yeni Musavat*, and claims to be the largest opposition party (Cornell 2001: 122; Ishiyama 2008: 40, 46–47; Economist Intelligence Unit 2008a: 12).

In the spring of 2005, Musavat joined the united opposition bloc, 'Azadliq' ('Freedom'), along with the Azerbaijan Popular Front Party and the Democratic Party, to contest the November 2005 parliamentary elections (Ishiyama 2008: 47; Babajew 2006: 88). Azadliq won five seats in these elections, but only Musavat took its parliamentary seats; the other members' parties opted for a boycott of both the parliamentary and repeat elections (Musavat subsequently left the Azadliq bloc) (Economist Intelligence Unit 2008a: 12).

The **Azerbaijan Popular Front Party (APFP)** was founded as the Azerbaijan Popular Front (APF) in 1989, a broad but fractious coalition of disgruntled Communist Party functionaries, extreme Azerbaijani nationalists and pan-Turkists. During its short period in power 1992–3, the APF, plagued by internal tensions, began to disintegrate. In 1995, the APF renamed itself the APFP. The death of Elchibey in August 2000 caused the party to divide into so-called 'reformist' and 'classical' wings, both claiming to be the party's legitimate ruling bodies. The more prominent reformist wing is led by Ali Kerimli (also known as Ali Kerimov). It defines itself as 'centrist', dissociates itself from neoliberal economic ideas and promotes a limited role for the state in the economy (Cornell 2001: 123). Kerimli won a parliamentary seat in the November 2005 elections, but voting in his constituency was annulled, and he subsequently lost his mandate in the May 2006 repeat elections (Economist Intelligence Unit 2008a: 12).

In the spring of 2005, Kerimli helped spearhead a united opposition bloc, 'Azadliq' ('Freedom'), consisting of three parties (along with Musavat and the Democratic Party), that contested the November 2005

parliamentary elections (Ishiyama 2008: 47; Babajew 2006: 88). Azadliq won five seats in the November elections, but as noted above, only Musavat took its parliamentary seats; the other two parties in the bloc boycotted both the parliamentary and repeat elections (with Musavat subsequently leaving the Azadliq bloc). In 2008, the Azadliq bloc again decided to boycott the 2008 presidential elections on the grounds that it considered the election laws unfair, also claiming that its parties faced harassment and that the media were constrained (Nichol 2008: 2; Economist Intelligence Unit 2008a: 12).

The **Azerbaijan National Independence Party** (ANIP), which rivals Musavat as the largest opposition party, is led by Etibar Memedov (a former leader of the nationalist wing of the Popular Front). Founded in late 1991, its core constituency is made up of Azerbaijanis who used to live in Armenia. It favours a liberal economic policy and advocates a minimal economic role for the state. The ANIP has stayed in 'loyal opposition' to both the Elchibey government and the Aliyev regimes and shown a willingness to engage in dialogue with the government. ANIP opposed Elchibey in June 1993 and backed Heydar Aliyev's accession to power. However, Memedov declined the offer of a position in the first Aliyev government (Cornell 2001: 123; Ishiyama 2008: 47). The party's failure to make a parliamentary breakthrough led it to split in early 2006 into loyalist and radical wings (Economist Intelligence Unit 2008a: 12–13).

The **Democratic Party of Azerbaijan** (DPA) was founded in 1993 and is led by Rasul Guliyev, a former speaker of parliament. He had close political ties with Heydar Aliyev but was exiled to the United States in 1997 after having been indicted for corruption. The party is thus now run by its deputy chairman, Sardar Jelaloglu (Cornell 2001: 123; Ishiyama 2008: 47).

In the spring of 2005, the DPA joined the united opposition bloc, 'Azadliq' ('Freedom'), along with Musavat and the Azerbaijan Popular Front Party (Ishiyama 2008: 47; Babajew 2006: 88). Azadliq won five seats in the 2005 parliamentary elections, but only Musavat took its parliamentary seats; the other members' parties decided to boycott both the parliamentary and the repeat elections (Economist Intelligence Unit 2008a: 12).

In 2007, the DPA split when Jelaloglu suggested starting a dialogue with the authorities. Supporters of Guliyev left the DPA to form the Open Society Party; the DPA was subsequently expelled from Azadliq (Economist Intelligence Unit 2008a: 13).

These four main opposition parties are centre-right and/or nationalistic, secular and broadly share the Aliyev regime's pro-Western foreign policy. According to their programmes, all of the parties support a capitalist economic system and democratic values; their main differences with the regime relate to the country's internal political and economic situation (Cornell 2001: 123; Babajew 2006: 89). However, the decision by several opposition parties to form the Azadliq (Freedom) bloc to contest the 2005 parliamentary elections was the first time that the parties had established such an electoral alliance (Economist Intelligence Unit 2008a: 12).

Azerbaijani politics remains characterized by personalities rather than by its weak and divided political parties (Cornell 2001: 123; Babajew 2006: 82). The populace is largely unfamiliar with the parties and therefore offers only minimal support. Low levels of political education, a single-party culture for seventy years and widespread poverty limit the citizens' initiative to participate fully in Azerbaijan's political life (Guliyeva 2005: 47). Adding to the voters' bewilderment is the government's practice of establishing alternative party organizations of the same name under their control in order to neutralize the 'real' opposition parties (Rasizade 2003: 353).

## 2.6. Electoral System

The constitution stipulates that members of parliament as well as the president shall be elected in general, direct, free, equal and secret elections (Articles 83 and 101). For parliamentary and presidential elections, a voter turnout threshold of 50% was previously required to validate the election, but this

threshold was abolished in 2002 (Economist Intelligence Unit 1996: 29; International Crisis Group 2005: 11).

Presidential candidates have to present a list of 40,000 signatures of registered voters from at least 60 of Azerbaijan's 125 constituencies in order to register with the Central Election Commission (CEC). The CEC checks the accuracy of the signatures and approves the registration of candidates (or parties in the case of parliamentary elections) (Ergun 2009: 648). The opposition leaders have continually criticized the government's refusal to allow the opposition to have equal representation on electoral commissions (Walker 2008: 3).

In previous presidential elections, the candidate needed to win two-thirds of the popular vote to avoid a run-off with the second place candidate (Economist Intelligence Unit 1998: 11). The constitutional amendments in 2002 changed this provision, however: a simple majority is now sufficient to win a presidential election in the first round (Economist Intelligence Unit 2002: 13).

### *The Individual Elections*

International election observers concluded that the 1995 parliamentary elections were neither free nor fair; they cited a wide variety of serious irregularities.<sup>1</sup> 'It seems that Aliyev and his supporters strove to eliminate as many opponents as possible during the pre-election registration period' (Altstadt 1997: 130). For one thing, authorities had interfered with the opposition's attempt to collect the necessary signatures for standing in the elections. Thus, around 60% of the candidates and one-third of the political parties were barred—on highly questionable grounds—from participating in the elections by the CEC. During the elections, incidences of multiple voting and of violence against oppositional candidates were reported; additionally, voter participation figures were probably inflated in order to satisfy the requirement of a voter turnout of 75% to approve the new constitution. It is estimated that the turnout was only 15–30% instead of the 80% claimed by the CEC (Economist Intelligence Unit 1996: 30).

In the 1998 presidential elections, Aliyev won with 76.1% of the votes, with his nearest rival winning only 11.6%. By winning over two-thirds of the votes, Aliyev avoided a run-off election. The election fell far short of democratic standards, however: widespread irregularities and intimidation during the election campaign as well as ballot stuffing and biased coverage in the local media were witnessed by election observers (Economist Intelligence Unit 1998: 11–12). 'The president also benefited from blanket and often sycophantic coverage in the country's media in the run-up to the election, although the other five contenders were given some airtime' (Economist Intelligence Unit 1998: 12). The five opposition parties boycotted the elections altogether, declaring that the election rules would ensure undemocratic results (Economist Intelligence Unit 1998: 13).

For the 2000 parliamentary elections, the electoral code was reformed and press censorship was reduced. Based on groundless allegations that several thousand of the signatures necessary for registration on the party list had been forged, however, eight out of the 13 applying political parties were rejected by the CEC. Even though the Commission's decision was overruled by a presidential directive, little time remained for the parties to run their campaigns (Guliyeva 2005: 47–48).

The elections themselves were accompanied by numerous violations, including forgery of voter registration lists and exaggeration of voter turnout figures. The election left uneven political representation in Parliament and the ruling party in firm control of that institution (Guliyeva 2005: 48).

In October 2003, the ailing President Heydar Aliyev<sup>2</sup> nominated his son, Prime Minister Ilham Aliyev, to run for president in the upcoming elections (Halbach 2003: 1; Nuriyev 2005: 1). Held under a new Election Code, the 2003 presidential election saw significant improvements in the electoral

1 In addition to the parliamentary elections, a referendum on the revised constitution was held in 1995 (Altstadt 1997: 131).

2 Heydar Aliyev died in December 2003.



law, electoral administration and the campaign phase compared to previous elections. However, the authorities did not implement many aspects of the new code in a fair, impartial or adequate manner. Other aspects of the overall legal framework had a negative effect on the election process as well. For example, there were severe restrictions on public rallies and on the election monitoring conducted by domestic civic organizations: local NGOs<sup>3</sup> that had received more than 30% of their funding from foreign donors were disqualified from election monitoring. This provision affected the majority of local NGOs in Azerbaijan (Guliyeva 2005: 49).<sup>4</sup>

The opposition again boycotted the CEC. As a result, members of the ruling party made up two-thirds of the central and local electoral commissions. The stacked electoral commissions provided the basis for the nationwide falsification of election results (Aliева 2006: 150–151).

The government made extensive use of administrative resources both during the campaign and on election day. There was widespread intimidation of and even violence against candidates in the pre-election period. Several candidates were denied registration for the elections due to flawed procedures (Aliева 2006: 150–151; OSCE 2003: 1–2; Guliyeva 2005: 49).

The state-owned media machine was heavily biased in its news and reporting. Although it duly provided free airtime and print space for all candidates, it did not meet its obligation to create equal conditions for the candidates. Private television stations were also biased. Many journalists were subjected to harassment and intimidation (OSCE 2003: 1–2). According to journalists' organizations, 61.2% of television airtime went to Ilham Aliyev, with only 4% to his closest competitor, Isa Gambar (Aliева 2006: 150–151; Guliyeva 2005: 49).

While election day generally passed without any major violent incidents, international observers witnessed significant irregularities during voting and widespread fraudulent practices during the vote counting and tabulation procedures, notably ballot stuffing and tampering with protocols.

On election night, however, protests and violence broke out, continuing with rioting in Baku on the next day. The government responded by detaining and intimidating members of the opposition and many election officials for refusing to sign flawed and fraudulent protocols (Halbach 2003: 3).

Independent observers were not allowed to monitor the post-election activities at the CEC before the announcement of the final results. Admitting some irregularities, the CEC subsequently invalidated the votes from 694 polling stations, but let stand the results in a large number of other precincts where serious violations had occurred. The CEC announced Ilham Aliyev as the winner with 77% of the vote, while his closest rival was credited with just 14% (OSCE 2003: 1–2).

During the pre-election period of the 2005 parliamentary elections, there were improvements, including provisions to mark voters' fingers with ink to curtail multiple voting; in addition, the ban prohibiting domestic NGOs receiving more than 30% of foreign funding from observing elections was lifted, although too late to have an impact on these elections. Most notably, the candidate registration process was made more inclusive, which provided for a competitive election in most constituencies (OSCE 2006: 1–3).

While many international observers praised the new and simpler candidate-registration procedures, there is evidence that the Aliev regime was exploiting these in order to 'flood the field' with unusually high numbers of candidates in order to confuse voters and split the anti-regime vote. Thus a measure that seemed like progress to foreigners appeared in the eyes of locals as yet another stratagem designed to help the regime keep its power (Aliева 2006: 150–151).

In addition, interference from local executive authorities and media bias favouring incumbents resulted in a failure to ensure equitable conditions for all candidates. Local executive authorities were not held

3 The term 'NGO' (Non-Governmental Organisation) excludes trade unions and political parties. NGOs in Azerbaijan, however, are often aligned to political parties; 'genuinely independent NGOs are rare' (Ottaway 2003: 145).

4 This provision was abolished again in 2005.

sufficiently accountable and failed to fully comply with the underlying legislation. There were continued restrictions on the freedom of assembly, as well as harassment, intimidation and detentions of some candidates and their supporters (OSCE 2006: 1–3).

On election day, voting was generally calm. However, attempts to influence voter choice, interference by unauthorized persons, undue expulsion of local election observers and members of polling station election commissions as well as cases of ballot stuffing were observed. A wide range of serious violations during the vote count at the polling stations and during the tabulation of results occurred: some election commissions tampered with results protocols, unauthorized persons interfered in the vote count and tabulation, and observers were intimidated (OSCE 2006: 1–3).

The CEC failed to consider in a transparent and expeditious manner the more than 1,000 complaints filed on and after election day. The Commission completed its final protocol without adjudicating all pending complaints. Elections were cancelled by the CEC in only 10 of the 125 constituencies, with the Constitutional Court calling for repeat elections in these constituencies (OSCE 2006: 1–3; Babajew 2006: 90).

The opposition suffered a crushing defeat: out of a total of 125 parliamentary mandates, 61 were won by the New Azerbaijan Party (NAP) and 43 went to NAP-aligned, ‘independent’ candidates. The opposition won a mere 6 seats, but some of the new opposition legislators refused to take them as an act of protest against the election fraud (Babajew 2006: 80; Nuriyev 2005: 5; Alieva 2006: 147). Ergun (2009: 648) states that there was no leading opposition party represented in the Azeri parliament between 2005 and 2008.

In the run-off for the presidential elections in October 2008, the opposition Azadliq (Freedom) party bloc decided in July that it would boycott the election on the grounds that the election laws were not fair. The bloc also complained that their parties faced harassment and that the media were biased (Nichol 2008: 2).

In August 2008, several opposition parties formed the Cooperation Center of the Opposition; however, it too decided to boycott the 2008 presidential election. The opposition’s criticism focused on three major points leading to the boycott: (1) the composition of the CEC and the 125 constituency election commissions; (2) the reduction of the official campaign period from 60 to 28 days; and (3) the restriction of the freedom of assembly (Ergun 2009: 648). ‘Candidates who did stand were second- or third-ranked functionaries of the opposition parties who were largely unknown’ (Ergun 2009: 648).

During the campaign, President Aliyev did not participate in the televised debates and roundtable discussions with the other presidential candidates; he instead sent representatives to present his positions. Nevertheless, media coverage was dominated by extensive reporting on the president and the ruling party (Ergun 2009: 649).

The lack of prominent opposition candidates certainly made it easier for the regime to create the impression that the 2008 presidential election ‘was a considerable achievement as there was no real evidence of electoral fraud’ (Ergun 2009: 650).

## 2.7. Elite Recruitment

Politics in Azerbaijan is an elite matter: the president, prime minister and all cabinet members are required by the constitution to have higher (college, university) education (Articles 100, 121).

The core of the political elite primarily consists of members of the titular nation’s ethnic group who are connected through family links or regional networks. However, it is not a homogeneous group; there are regular internal conflicts. By and large, the compositions of elites in Azerbaijan share three essential characteristics: a Soviet legacy, family or regional network membership and ethnic affiliation.

In the Soviet era, political access was officially regulated according to the principle of advancement in the administrative vertical. Key positions in the Communist Party (e.g. the Chairman of the Soviets on the republican, provincial or district level) were filled by the Politburo in Moscow. Azerbaijan's first president, Heydar Aliyev, was appointed the first president of the Central Committee of the Azerbaijan Communist Party in 1969. In the 1980s, he worked in high-ranking positions of the Soviet Union. After being elected president in 1993, Aliyev awarded key positions to former high-ranking party functionaries, including several relatives and confidants. He thus managed to surround himself with a circle of loyal individuals. As a result, a deeply personal continuity in the political elite formed (Sidikov 2004).

As a rule, government posts were filled by networks based on informal institutions like kinship, membership in a primary social group (clan) and patronage. In Azerbaijan, informal networks evolved according to common regional identity, i.e. regional groups or clans. Two groups play a significant role in national politics: the first and most numerous is made up of Azeris born in Armenia, referred to as 'Yeraz' (an abbreviation for Yerevan Azeri). The second—and clearly more influential—group is rooted in the autonomous Azerbaijani exclave of Nakhichevan on the Iranian border. The Aliyev family belongs to this group, and during Heydar Aliyev's term in office, the Nakhichevanis succeeded in bringing important economic sectors under their control (Sidikov 2004).

The transformation processes of the 1990s also gave rise to new channels of recruitment; the parliamentary elections, for example, enabled new representatives from the science and business sectors to enter into politics. However, this did not have any larger implications for the structure of the political elite.

As a result, the state has been 'colonized' by bureaucrats and non-state actors for the purpose of personal gain (rent-seeking) (Köhler/ Zürcher 2004: 84). The state creates an informality to enable some form of governance. For the provision of some form of state functions, it rewards bureaucrats and other strategically relevant actors with secure property rights and a violence-free space. Access to these rewards depends on fees and/or loyalty toward the rulers. For a fee, the state also bestows governance functions on actors who then generate private rents from this position/ function. In cases of locally embedded networks, the state tries to co-opt the elites (Köhler/ Zürcher 2004: 94–95).

## 2.8. Civil Society

Azerbaijan's ruling elite, which is organized along regional networks and clan structures, competes for control of a pyramidal distribution structure that allows substantial funds to be skimmed from the oil business (Ishiyama 2008: 39, 53). The elite can be divided into two groups: those that are part of the governing bloc with access to oil rents and the others (Cornell 2001: 122). There is a general conviction that the political opposition's ulterior motive is to gain access to the nation's oil revenues by replacing the regime, which is currently benefiting from these revenues (Rasizade 2003: 353; Halbach 2003: 7).

This division into insiders and outsiders is a particular feature of the interest representation in Azerbaijan. Special interest groups do not aim to change the political system through lobbying but instead attempt to become part of the system themselves. In other words, the representation of special interest groups is achieved through co-option in the executive branch of government and its administrative bodies.

This chapter does not analyse the interest representation of special interest groups such as trade unions and business associations, however (for further information on elite co-option, see Chapter 2.7). The focus is instead on the attempts of civil society organizations to hold the government accountable, provide social services and protect citizens' rights.

While civil society organizations and NGOs are officially allowed to operate, their development in Azerbaijan has been impeded by systemic problems: a lack of shared values among group members, limited resources and poor infrastructure (lack of money, organizational and personnel problems,

etc.), general social apathy and the gradual elimination of political opportunity structures through government repression since 1993 (Ottaway 2003: 58; Gahramanova 2009: 787, 790). Government regulations on registration and taxation

also limit the opportunity structures of the NGO sector. In Azerbaijan, NGO registrations were de facto suspended in 2005. The registration process is arbitrary and politicized, and the failure to register has important financial, logistical and psychological consequences (Gahramanova 2009: 788).

The contraction of political opportunity structures was further exacerbated by the lack of criticism and political pressure from Western actors, who have prioritized their economic interests in Azerbaijan's energy resources over long-term civil society development (Gahramanova 2009: 777).

As a result, civil society organizations are not able to hold the government to account or to influence policymaking. The increasingly narrow political space only allows them to pursue so-called 'soft issues', such as the status of women's and children's rights (Gahramanova 2009: 787).

Although several thousand NGOs are registered with the government, only 150–200 are considered effective actors on the national or local stage, among which a mere 10–15 can be characterized as strong (Gahramanova 2009: 787).

With Azerbaijan becoming the first country to fulfil the Extractive Industries Transparency Initiative (EITI) requirements in February 2009, the Azerbaijani government is going to publish the amount of money that it receives from the use of oil, gas, and mining resources (cf. Franke et al. 2009: 113). The companies working in these sectors will also make public how much money they give to the government. Civil society groups are explicitly included in the process and will help to insure that the use of resource income is transparent.

Civil society groups working in the energy sector should benefit from explicit protections accorded by the government and backed by international monitoring. According to the EITI validation criteria, civil society groups involved in the EITI are free to express opinions on the initiative without undue restraint or coercion. According to the 2009 validation report, all stakeholders agree that Azerbaijan has been compliant with EITI norms; the government has committed to work with civil society and companies on EITI implementation (cf. Coffey International development et al. 2009).

An NGO coalition was established in 2004 to monitor the implementation of the EITI agreement; it included 114 NGOs and 14 individual members by 28 May 2009 and is currently led by an 11-member coalition council.<sup>5</sup>

## 2.9. Mass Media

Azerbaijan's constitution guarantees freedom of expression and the media and prohibits state censorship. Furthermore, amendments to the 'Law on Mass Media' in December 2001 abolished the system of media registration, simplified the establishment of mass media outlets, and removed prohibitions on advertising and financing, which grants media agencies better opportunities to secure operating expenses. However, these reforms are weakly implemented and alone are not sufficient to secure media freedom (Guliyeva 2005: 52–53).

While there are very few formal limitations on the dissemination of information in Azerbaijan, the government maintains a tight hold on the media (Gahramanova 2009: 784). It employs numerous methods to limit press freedom and the independence of the media in practice (Walker 2008: 5). The most widely used method is economic pressure.

<sup>5</sup> Cf. <http://www.eiti-az.org>.

The print media are able to cover a variety of political views.<sup>6</sup> The majority of newspapers in Azerbaijan rely heavily on income from commercial advertisements, but the government discourages private companies from advertising in opposition newspapers. State businesses do not advertise in opposition newspapers. The distribution of opposition publications outside of the capital city of Baku is often obstructed. In general, independent and opposition newspapers struggle financially because of low circulation, limited advertising revenues and heavy fines or imprisonment of their staff for libel (Guliyeva 2005: 51; Walker 2008: 4–5).

Many Azerbaijanis cannot afford to buy newspapers; the majority of the population relies on television news as their main source of information. The broadcast media, however, is either government-owned or linked to the government (Guliyeva 2005: 51). Of the 16 television stations, only four broadcast to a national audience and all four of them have clear or likely links to the regime (Walker 2008: 5).

Since 2007, the Azeri authorities have intensified repression against journalists and editors by using libel and defamation statutes to penalize those critical of the authorities. Additional pressure comes in the form of harassment of journalists and even physical assaults (Walker 2008: 4–5; Guliyeva 2005: 52–53; see also Heradstveit 2001: 15).

It can be summarized that economic and physical pressure on the media by the government is responsible for the press's bias, dependence and lack of influence on the broader public (Guliyeva 2005: 53; Walker 2008: 6).

## 2.10. Political Culture and Political Participation

Academic authors claim that institution building in Azerbaijan took place within the context of a largely depoliticized and demoralized society that is still suffering from the effects of the war with Armenia over Nagorno-Karabakh. In addition to giving Azerbaijan the highest per capita number of war refugees in the world, the war has resulted in lost territory as well as rapidly declining living standards and the collapse of the economy. Thus, for an overwhelming majority of the population, stability, the establishment of law and order, and economic survival are more urgent concerns than the abstract concepts of democracy, political freedom and civic participation (Ottaway 2003: 68; Rasizade 2003: 353; Halbach 2003: 7; Gahramonova 2009: 791).

Azerbaijan is considered to be characterized by an entrenched political culture that retains a number of Soviet-era governance features, among them flawed institutions incapable of achieving sufficient levels of accountability (Walker 2008: 3). Fragile state institutions initially paved the way for the rise of powerful political personalities, i.e. Heydar Aliyev. 'A "presidential monarchy" of sorts has thus emerged, resting on a social contract according to which society's political acquiescence is guaranteed' by a provision of stability and promises of vast riches through future oil exports (Kamrava 2001: 218). 'In Azerbaijan, Heydar Aliyev represented security after chaos' (Ottaway 2003: 144).

It is also widely believed by academic authors that the political opposition lacks the leverage of public support. The opposition parties have failed to establish a comprehensive political platform and a credible economic or social programme to distinguish themselves from the ruling New Azerbaijan Party (Rasizade 2003: 353). If they could manage to achieve these things, then maybe they 'could stir Azeris out of their conditioned torpor and attract large numbers of supporters' (Rasizade 2003: 353). The citizens of Azerbaijan have by now lost their trust in politics; apathy and aversion to politics are widespread in the general public (Cornell 2006: 130). The demand for democracy and freedom is very low among the population, which appears trapped in a web of fatalism, submission and fear (Babajew 2006: 81). Political indifference also stems from the general belief that the opposition's ulterior motive in unseating the regime is to gain access to the nation's oil revenues. In other words,

<sup>6</sup> Ottaway considers the press party-aligned (Ottaway 2003: 52). During Aliyev's consolidation process, 1993–6: 'The so-called independent press, in reality an array of publications controlled by the political parties, continued to publish' (Ottaway 2003: 58).

ordinary people are by no means convinced that an elite or regime change would improve their lives (Rasizade 2003: 353; Halbach 2003: 7).

In contradiction to these statements, a public opinion poll conducted in May/ June 2009 found that 54% of the respondents in Azerbaijan considered it 'very important' and 25% at least 'somewhat important' to live in a country that is governed democratically; only 18% of the respondents found it 'not very important' or 'not at all important' (WorldPublicOpinion.org 2009: 8).<sup>7</sup> These results find support in Musabayov/ Shulman (2009: 10); in their survey, 59% of the respondents were found to 'strongly believe' or at least 'somewhat believe' that democracy is the only acceptable form of governance.<sup>8</sup>

This pro-democratic attitude is underscored by the results of another survey, in which 72% of the Azerbaijanis polled stated that people should have the right to demonstrate peacefully against the government; only 28% of the respondents said that they would deny people this right (Council on Foreign Relations 2009: 421–422).<sup>9</sup> In another survey, 18% of the respondents stated that they would help the authorities to restore order in case of mass protests, while 12% said they would join the protesters; 62% said they would remain neutral (Musabayov/ Shulman 2009: 35).

Additionally, 55% of the respondents in Azerbaijan found it 'very important' or 'somewhat important' for people to be able to freely express unpopular political views without fear of being harassed or punished. Only 8% found this right 'not at all important' (WorldPublicOpinion.org 2009: 6).

In a related question, 64% of the respondents found it 'very important' or 'somewhat important' for the media to be free to publish news and ideas without government control (Council on Foreign Relations 2009: 422).

Nevertheless, around 52% of the Azerbaijanis polled stated that only a strong leader could change the situation of the country for the better; 29% said that good laws would improve the situation (Musabayov/ Shulman 2009: 32). In the same vein, 45% of the respondents supported the constitutional amendment of 2009 to eliminate presidential term limits. Only 22% of the respondents considered the amendment undemocratic, i.e. aimed at strengthening absolute rule in Azerbaijan (Musabayov/ Shulman 2009: 38).

While academic authors have described Azerbaijani society as largely depoliticized and demoralized with a political opposition that lacks public support, opinion polls show instead that most Azerbaijanis have a pro-democratic attitude and find it 'somewhat important' to be governed democratically.

## 2.11. Legal System and Constitutional Court

According to the 1995 constitution, the judicial system in Azerbaijan consists of a Supreme Court, an Arbitrage Court and a Constitutional Court as well as general and specialized courts (Gulaliyev 2005: 164). It also enshrines the principles of judicial independence and immunity. The Constitutional Court was formally authorized to ensure the constitutionality of the laws of the republic, presidential decrees, regulations issued by the central government authorities, and signatures of treaties (Shaffer 2004: 29; Kamrava 2001: 229; Badalov/ Mehdi 2005: 157). Under the 2002 constitutional reform<sup>10</sup>, citizens are entitled to file complaints with the nine-judge Constitutional Court against

7 To explore public attitudes on democracy, WorldPublicOpinion.org conducted between 4 April and 30 June 2009 a survey of 21,285 respondents in 24 nations (China, India, USA, Indonesia, Nigeria, Pakistan, Russia, South Africa, Argentina, Chile, Mexico, Germany, the United Kingdom, France, Israel, Poland, Azerbaijan, Ukraine, Kenya, Egypt, Turkey, Iraq, Republic of Korea, and the Palestinian territories). In Azerbaijan, 600 respondents were surveyed between 26 May and 5 June 2009 in a face-to-face national poll. The margin of error is 4.1% (WorldPublicOpinion.org 2009: 4, 23).

8 Musabayov/ Shulman (2009) used data from a nationwide survey in Azerbaijan conducted by PULS-R Sociological Service in January/ February 2009; the survey polled 1,000 respondents.

9 The survey was conducted by WorldPublicOpinion.org in 2008.

10 'Azerbaijani legal reform efforts have concentrated on economic concerns and not on human rights. Similarly the

legislative, executive and municipal acts violating individual rights.<sup>11</sup> However, municipal councils are still not allowed to file complaints with the Constitutional Court (Guliyeva 2005: 44; Badalov/Mehdi 2005: 157).

Although the constitution provides for an independent judiciary and even refers to the president as the guarantor of judicial independence, in practice, the judicial system has increasingly fallen under the control of the executive authorities. In terms of both lawmaking and the implementation of laws, the Azerbaijani legal system is characterized by the concentration of power in the hands of the president and the executive branch (Gulaliyev 2005: 164; Guliyeva 2005: 44, 53).

Judges are dependent on the executive branch: judges of the Constitutional Court, Supreme Court and courts of appeal are appointed by the president and subsequently approved by the parliament, while the rest of the judges in Azerbaijan are appointed by the president unilaterally. The judiciary's independence is further undermined by the president's ability to remove judges and the prosecutor general from office. The judiciary is widely seen as corrupt and inefficient; the selection of judges is especially prone to corruption (Guliyeva 2005: 44–45; Kamrava 2001: 233).

Rather than enjoy popular trust, the new judicial system, not accountable to the public and dependent on executive authorities, has a reputation of abusing law and justice more than any other institution (Gulaliyev 2005: 165).

It was the new Constitution [of 1995, AH] that turned the courts into a powerful tool of repression, used to protect the foundations and unlawful activities of the present political regime, and to punish anyone who disobeys (Gulaliyev 2005: 164).

## 2.12. Regional and Local Policy

According to the constitution, Azerbaijan is a unitary state.<sup>12</sup> Municipalities are formed on the basis of rural or urban settings. The two largest cities, Baku and Ganja, are exceptions to the system; their territory is divided into districts whose administrative (executive) bodies are subordinate to a city-level executive authority. A total of 2,673 municipalities have been created, with over 22,000 elected officials. Each municipality acts as an independent legal entity, with neither horizontal nor vertical subordination. However, the relationship and the division of responsibilities between the bodies of local self-government and the executive authorities are not clearly defined in legislation (Mamedova et al. 2001: 378–379; Garagezli 2003: 44–45).

Azerbaijan's constitution of 1995 is the primary basis for the establishment of local government. It upholds the decentralization of state authority and specifically enumerates standards for local self-governance. It also stipulates that local government in Azerbaijan is to be exercised both through local bodies of state administration and through municipal governments (Mamedova et al. 2001: 375–376).

As for its composition, local government is determined through a combination of appointments and elections: according to Article 124, the president appoints regional governors, while local government councils are elected. In practice, this procedure has led to a concentration of power in the hands of presidential appointees whose competences are defined by the president (Shaffer 2004: 29; Economist Intelligence Unit 1998: 12).

Although Azerbaijan's constitution entitles municipalities to own, make changes on and use their property, in practice the real power belongs to the executive authorities. In turn, the executive authorities are not interested in the development of local self-governments, which they consider rivals to

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apparent concern for promoting rule of law and democratization revolves around the prospects for economic gain and international political status, and less around concern for the rights of citizens' (Guliyeva 2005: 46).

11 Citizens' complaints to the Constitutional Court against major flaws in legislation are usually rejected under various pretexts (Badalov/Mehdi 2005: 157).

12 Other than the Nakhichevan Autonomous Republic (NAR), there are no independent states within the nation.

their own, hitherto unrestricted power. A conflict of interest between the local self-governments and the executive authorities has thus been created by inconsistencies in the laws, which do not clearly define the powers, responsibilities and spheres of influence of the two bodies. This appears to be the main reason why the majority of municipalities do not have their own assets and finances with which to accomplish their objectives (Garagezli 2003: 44–45).

The first municipal elections were held on 12 December 1999<sup>13</sup>; they were characterized by very little fair competition among the candidates and even less public involvement in the process. In addition, the votes cast were found to have been manipulated (Garagezli 2003: 48).

The discrepancy between the government's rhetoric about democracy and actual election practices, for instance, has resulted in the citizens' apathy towards the whole process of local governance.

This passive attitude on the part of the public towards municipal affairs in general and elections in particular is also the result of a low level of awareness and knowledge of the self-government system. Decades of totalitarian rule and a lack of tradition of local self-government created a serious social and psychological obstacle to the development of a democratic public mind. People do not know enough about the institutions of self-government, which is one of the main instruments for the development of the society in democratic conditions (Garagezli 2003: 48).

In a survey conducted in February 2009, 58% of the respondents considered municipalities as just a decorative appendage of the executive power, while 34% saw them as necessary institutions that are trying to do something but are improperly formed (Musabayov/ Shulman 2009: 39).

Azerbaijan has a long way to go with respect to the protection of national minorities; however, the country does provide the necessary conditions for the development of its ethnic minorities' cultures and identities, as outlined by many international organizations (Shafee 2008: 211).

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13 The institution of local self-government in Azerbaijan emerged only at the end of 1999, rather than in 1997 as cited in the constitution. The official explanation for the delay was the population's unreadiness and the lack of appropriate experience in the field. In the view of independent experts, however, the delay was really due to the reluctance of the former local authorities to transfer functions and relinquish the centralized system of control (Gahramanova 2009: 789–790; Mamedova et al. 2001: 375–376).



## 2.13. Appendix

Table 2.2: Office Holder in Azerbaijan, 1996–2009

President	Heydar Aliyev (1993–2003) Ilham Aliyev (2003– )
Prime minister	Artur Rasidzade (1996–2002) Ilham Aliyev (2003) 2004: vacant Artur Rasidzade (2005– )
First deputy prime minister	2009–: Yagub Eyubov
Deputy prime minister	Abbas Abbasov, Tofiq Azizov, Elcin Efendiyev, Izzet Rustamov, Abid Sharifov (1996–1998) Abbas Abbasov, Elchin Efendiyev, Ali Hasanov, Izzat Rustamov, Abid Sharifov (1999) Abbas Abbasov, Elchin Efendiyev, Yagub Eyubov, Ali Hasanov (2000) Abbas Abbasov (2001) Abbas Abbasov, Abid Sharifov, Elchin Efendiyev, Yagub Eyubov, Ali Hasanov (2002–2006) Abid Sharifov, Elcin Efendiyev, Yagub Eyubov, Ali Hasanov (2007–2008) Abid Sharifov, Elcin Efendiyev, Ali Hasanov (2009)
First deputy minister	Abid Sharifov (2001)
Deputy ministers	Elchin Efendiyev, Yagub Eyubov, Ali Hasanov, Hadjibala Abutalibov (2001)

Source: Economist Intelligence Unit, various issues.

Table 2.3: Presidential Election Results

Date	Voter turnout (in % of the electorate)	Candidates	Percentage of the total votes
3 October 1993*	97.6	Heydar Aliyev	92.8
11 October 1998	77.0	Heydar Aliyev	76.1
		Etibar Mamedov	11.6
15 October 2003	71.5	Ilham Aliyev	76.8
		Isa Gambar	14.0
15 October 2008	75.1	Ilham Aliyev	88.7
		Igbal Aghazade	2.9

\* uncontested election

Sources: Ergun 2009: 649; Economist Intelligence Unit, various years.

Table 2.4: Parliamentary Election Results

Date	Voter turnout (in % of the electorate)	Parties	Seats (out of a total of 125)	Percentage of the total votes
12 November 1995	79.5	New Azerbaijan Party	51	N/A
		Azerbaijan Popular Front Party	3	N/A
		Azerbaijan National Independence Party	3	N/A
		Musavat	1	N/A
		Independent candidates	58	N/A
5 November 2000/ 7 January 2001 (by-election)	68.0	New Azerbaijan Party	79	62.5
		Azerbaijan Popular Front Party	6	10.8
		Azerbaijan National Independence Party	1*	3.9
		Musavat	1*	4.9
		Independent candidates	21	—
6 November 2005 (re-run elections on 13 May 2006)	42.2	New Azerbaijan Party	61	N/A
		Musavat	5	N/A
		Azerbaijan Popular Front Party	1	N/A
		Independent candidates	43	N/A

\* In both cases, these opposition deputies left their parties after refusing to observe the opposition's boycott of parliament. The votes (a total of 11) were won by government supporters in by-elections in January 2001.

Sources: Armingeon/ Careja (2004); Economist Intelligence Unit, various years.

### 3. Kazakhstan

#### 3.1. Constitutional Development of Kazakhstan

In June 1989, Nursultan Nazarbayev was appointed First Party Secretary of the Communist Party in Kazakhstan. The newly elected Supreme Soviet, still dominated by communist cadres, converted Nazarbayev's position of First Party Secretary into a presidency and declared state sovereignty in 1990. Seeking public affirmation of his presidency, Nazarbayev won uncontested presidential elections in December 1991, and Kazakhstan declared its independence from the Soviet Union shortly afterwards (Gumppenberg 1999: 257, 259; Knox 2008: 478; Olcott 1997: 209).

With its first constitution in 1993, Kazakhstan was established as a semi-presidential republic with a unicameral legislature initially modelled on the 1958 Constitution of the French Republic (Olcott 1997: 219; Hunter 1996: 41; Knox 2008: 483–484). However, Nazarbayev found this to be an unsatisfying compromise, because among other things, it spurred ethnic tensions (Furman 2005: 209). The nation-building process was characterized by the dominance of an ethno-nationalist concept of the nation, which fostered a process of societal disintegration and widened the estrangement between ethnic Kazakhs and Russians. For this reason the new constitution replaced the ethnocentric approach with a political-territorial concept of the nation (Zabirova 2003: 118; Cummings 2002: 7).

In 1995, the Kazakh constitution was revised and the power of the president was further increased. By combining the strong position of the president as found in both the American and the French constitutions to the disadvantage of the other branches of government, especially the legislature, the Kazakh constitution introduced a purely presidential form of government that led to an executive consolidation in Kazakhstan (Gumppenberg 2002: 138; Hunter 1996: 42; Cummings 2002: 7). However, the constitution describes Kazakhstan as democratic and secular with a separation of power among the three branches of government. The newer version restructured the legislature and established a bicameral parliament. Over time, meanwhile, the number of members of parliament has been reduced: from 360 members in 1990 to 144 in 1994 and 114 in 1995 (Hunter 1996: 40, 42; Bremmer/ Welt 1995: 143; Manutscharjan 1996: 2; Furman 2005: 215–216). Furman (2005: 215–216) argues that the reductions have made it easier for the president to control the legislature.

In the context of revising the constitution, Nazarbayev created a non-constitutional 'Assembly of Peoples of Kazakhstan'<sup>1</sup>, through which he managed to be named president until December 2000. This decision was submitted to a national referendum on 29 April 1995. It was followed by another referendum on the new constitution in August 1995 that formalized Nazarbayev's increased power (Olcott 1997: 230; Abazov 1999: 171; Knox 2008: 478; Schmitz 2003: 18). The new constitution enhances the president's dominance, notably by abolishing the position of vice president and by allowing Nazarbayev to dismiss the cabinet at will (Economist Intelligence Unit 1999: 7).

In October 1998, the parliament amended the constitution to abolish the maximum age limit for the presidency and extended the presidential term of office from five to seven years. It also voted to abolish the existing requirement for a 50% minimum voter turnout in order to validate elections. Additionally, the size of the Majilis (the lower house of parliament) was increased from 67 to 77 deputies and their term was extended from four to five years. The term of senators in the upper house was increased from four to six years. In order to gain seats in the parliament, a political party must attain no less than 7% of all votes cast, up from 5% (Gumppenberg 2002: 139; Economist Intelligence Unit 1999: 6–7). In order to bring these amendments into force, Nazarbayev called an early election in

1 The Assembly of Peoples of Kazakhstan was created in 1995 as a means for implementing the state's nationality policy (Sarsembayev 2007: 119); it is a 364-member body appointed by the president and represents different ethnic groups. It is chaired by the president (Isaacs 2008: 382).

January 1999 even though his term was not scheduled to end until 2000. He was duly re-elected for a seven-year term (Knox 2008: 478).

In May 2007, constitutional amendments came into force that were ostensibly meant to strengthen the parliament and foster the democratization of Kazakhstan. The amendments stipulated, among other things, increasing the number of deputies in the Majilis from 77 to 107 and the number of senators appointed by the president from seven to 15 as well as reducing the presidential term from seven to five years (Wilshire 2007: 2). At the last moment, however, a provision allowing Nazarbayev to run for president for an unlimited number of times was added to the amendments (Wołowska 2007: 4).

Table 3.1: Constitutional Changes in Kazakhstan

	1993	1995	1998	2007
<b>President</b>	Five-year term	Five-year term, abolition of the position of vice-president	Seven-year term, no maximum age limit, abolition of the 50% minimum voter turnout	Five-year term, no term limits (for Nazarbayev only)
<b>Senate</b>	Unicameral parliament; members reduced from 360 to 144	Four-year term, seven members are nominated by the president	Six-year term, 15 members are nominated by the president	—
<b>Majilis</b>		Four-year term, 67 members; total of 114 delegates in both houses of parliament	Five-year term, 77 members, abolition of the 50% minimum voter turnout, threshold increased from 5% to 7% of the votes	Five-year term, 107 members, abolition of majoritarian electoral system; the Majilis now only requires a simple majority to express a vote of no confidence in the government rather than the two-thirds majority previously required

### 3.2. The President

With the revised constitution of 1995, the power of the president was increased at the expense of the parliament (Hunter 1996: 42). The president was named head of the executive branch and originally elected for a five-year term through universal suffrage with a maximum of two consecutive terms (Article 41).

In October 1998, the constitution was amended to extend the presidential term to seven years (Gumpenberg 2002: 139). In May 2007, however, a constitutional amendment allowed Nazarbayev to run for president for an unlimited number of times, but reduced the presidential term back to five years. Under terms of the amendment, Nazarbayev would be an exception, with future presidents limited to two five-year terms (Wołowska 2007: 4; Wilshire 2007: 2).

Under the 1995 constitution (Articles 44–45), the president was vested with the power to:

- name the government (subject to parliamentary confirmation), which is responsible only to him, and all other republic officials,
- set the date of parliamentary elections,
- issue decrees which bear the force of law,
- declare states of emergency, which put the constitution into abeyance,
- override the decisions of local authorities,

- initiate legislation and constitutional changes,
- dissolve parliament in case of a vote of no confidence in the government (for this reason, however, only once a year), in case the parliament refuses to confirm the prime minister twice, and in case of a political crisis (i.e. irresolvable differences in opinion between the upper and lower houses of parliament or between parliament and other branches of government) (Article 63),
- appoint three of the seven members of the Constitutional Council, among them the chairman, who has two votes, the chairperson of the Supreme Judicial Council and the 19 district judges. The prosecution is directly responsible to him (Articles 71, 82–83).

According to Article 47 of the constitution, the only grounds on which a president can be removed from office are infirmity and treason, either of which must be seconded by a three-fourths majority of the joint commission of both houses of parliament.

During his term, the president is not held accountable for his actions; the prime minister is legally held accountable by co-signing all presidential decrees (Manutscharjan 1996: 2; Gumpfenberg 2002: 139). In addition to the president's lack of accountability, on 27 June 2000,

the two houses of Kazakhstan's parliament passed the controversial 'Law on the First President of Kazakhstan' in the second and final reading. In accordance with this law, Nazarbaev has been given life-long immunity from court prosecution (Tolipov 2006: 65).

### 3.3. Executive Branch: Government and Administration

According to Article 66 of the Kazakh constitution, the government shall, among other things:

- develop the main direction of policies (in the fields of social, economic, foreign and defence policy),
- present a state budget to parliament,
- introduce draft laws to parliament,
- ensure law enforcement,
- organize the management of state property and manage the activities of the individual ministries and other executive bodies.

Immediately after his election as president, Nazarbayev began centralizing power in the executive branch, including the control over regional and local leaders' appointments and the activities of their administrations. This significant expansion of the president's authority was sanctioned by the Supreme Soviet in January 1992 (Jones Luong 2002: 137, 139; Furman 2005: 208).

Most importantly, Nazarbaev strove to concentrate power within the executive branch as a whole, rather than just within the presidential apparatus alone. Increasing the power of the presidency did not amount to the exclusion of regional leaders from direct influencing, and indeed, participating fully in the political process (Jones Luong 2002: 140).

In the following years, the number of ministries was reduced from 24 to 14 and ministerial commissions and committees were rationalized. The reduction of cabinet ministers allowed Nazarbayev to transfer the oil portfolio from the prime minister's control (Geiss 2006: 37; Furman 2005: 226).

These reforms made one-third of the offices in the central administration redundant, and were followed by regulations establishing career tracks in civil service and a differentiation between political and administrative offices (Geiss 2006: 37).<sup>2</sup>

<sup>2</sup> Since independence, Kazakhstan has prioritised economic, political and public management reforms, respectively. The government has laid out a progressive modernization agenda in public sector reform. This agenda has drawn on international experiences in helping to create a customer-focused public service and is being implemented largely through legislative instruments (Knox 2008: 493). 'These reforms [...] were followed by regulations establishing career tracks in civil service and a differentiation between political and administrative offices' (Geiss 2006: 37).

### 3.4. Parliament

In March 1990, the unicameral legislature (Supreme Soviet) was elected in the first multiple-candidate contests since 1925. The new legislature was dominated by the senior communist political elite of the republic (Olcott 1997: 219; Hunter 1996: 42).

Nazarbayev pressured the parliament into a 'voluntary' early dissolution in December 1993 in order to enable new elections to be held in March 1994 under the first post-Soviet constitution and election laws (Olcott 1997: 219; Brown 1996: 12). The new parliament was named the Supreme Kenges. 'Of the deputies who were eventually elected, 70 percent had not held office before, while more than 90 percent of them were senior administrators in state or partially-state organizations' (Olcott 1997: 220).

Despite tampering with the election process, the president could count only on a reliable bloc of 60 out of 177 seats in the Supreme Kenges. Additionally, the new legislature was little more compliant than its Soviet-era predecessor. Kazakhstan's new parliament began not only to exhibit independence, but also to strengthen and consolidate itself as an institution; it increasingly understood itself as the republic's main brake on presidential power (Olcott 1997: 221–223; Brown 1996: 12). In spring 1995, therefore, President Nazarbayev proposed to restructure the Supreme Kenges and establish a bicameral parliament (Hunter 1996: 42).

Opposition from parliament eventually led to its dissolution in 1995 (Bremmer/ Welt 1995: 149). Citing constitutional violations during the 1994 elections in one polling district of Almaty, in March 1995 the Constitutional Court declared the entire election results invalid (Jones Luong 2002: 222). 'The president responded by dissolving the Supreme Kenges, abolishing the Constitutional Court and ruling by decree until the new parliament formed' (Economist Intelligence Unit 1999: 6).

New parliamentary elections were held in December 1995. This raised speculations that Nazarbayev had orchestrated the actions of the Constitutional Court, which had been 'a noticeably unproductive organ of power' up until then (Olcott 1997: 226–227).

According to Article 50 of the 1995 constitution, the parliament consists of two houses: the upper house, the Senate, consists of 47 members. Regional legislatures in each of the 19 oblasts and the capital elect two senators for terms of four years. An additional seven senators are appointed directly by the president. The lower house, the Majilis, consists of 67 members (one for each district); its members are elected on the basis of single-mandate, territorial constituencies for four years. Both houses of parliament operate in continual sessions.

With a constitutional amendment in October 1998, the size of the Majilis was increased from 67 to 77 deputies and its term extended from four to five years; 67 of its members were elected in single-mandate constituencies (majoritarian system) and 10 seats via proportional representation from a party list with a 7% threshold (Isaacs 2008: 382; Wilshire 2007: 2; Sarsembayev 2007: 116). The term for senators was extended from four to six years (Economist Intelligence Unit 1999: 6). The president would appoint 15 senators (up from seven), while half of the remaining 32 senators were to be nominated by regional legislatures every three years (see also Gumpfenberg 2002: 138; Economist Intelligence Unit 2008b: 7).

The 2007 constitutional reforms were announced as efforts to strengthen the parliament and further the democratization of Kazakhstan. They changed the electoral system from a mixed-member majoritarian system to a proportional closed-list system based on one nationwide constituency. Under the new rules, the Majilis was increased to 107 seats, with 98 deputies elected on a proportional basis, with parties submitting a list of candidates to fill all 98 seats. The remaining nine deputies were to be elected by the Assembly of Peoples of Kazakhstan. One of the amendments removed the prohibition of imperative mandates, i.e. the requirement to vote along party lines. A breach of the imperative mandate would now result in the recall of the deputy. In addition, independents would no longer be allowed to stand for election and deputies would lose their mandate if they left (or were expelled

from) the party on whose list they were elected (Wilshire 2007: 3; Sarsembayev 2007: 121; see also Lundberg 2009).

Both changes provided the president with tools for disposing of dissenting voices. Furthermore, the new electoral rules prohibited political parties from forming electoral blocs or party coalitions, which decreased their chances of crossing the 7% threshold (Isaacs 2008: 382; Sarsembayev 2007: 117; Wilshire 2007: 2–3). Moreover, the powers of the 15 appointed senators could be terminated before the end of their terms on the decision of the president. The formal registration requirements for candidates were also increased (Wilshire 2007: 3; Sarsembayev 2007: 121).

Registered public associations operating at the national or regional level were accorded the right to nominate candidates to a sixty-seven-member legislative assembly (*Majilis*), who would then compete in a general election (Jones Luong 2002: 236–237).

Additionally, self-nomination was an option for both chambers of parliament (Jones Luong 2002: 237).

The rights of parliament are laid out in Articles 53–56, 61 and include the right to:

- initiate and approve legislation,
- discuss and approve the state budget,
- approve appointments.

The parliament has the right to initiate and approve legislation (including constitutional amendments; Article 53); however, it may not draft laws. Draft laws are instead instigated by the government and submitted to the legislature for discussion (Economist Intelligence Unit 2008b: 7). The president determines the priority of the consideration of draft laws; if the parliament does not consider a draft law within a month's time, he can issue a decree instead (Article 61).

If the parliament disagrees with a draft legislature issued by the government, the prime minister is entitled to call a vote of no confidence. In case both chambers of parliament favour a vote of no confidence in the government with a two-thirds majority, the president decides whether to dissolve the parliament. If both chambers do not reach a two-thirds majority, the government brings the draft law into force without the consent of the parliament; this measure, however, cannot be used more than twice a year (Article 61).

All parliamentary decisions about the budget need prior approval of the government (Article 61).

The senate is involved to a larger extent in important personnel decisions, such as the approval of the prosecutor general and the chairperson of the National Security Committee (Article 55). The lower house elects and dismisses the members of the Central Election Commission proposed by the president (Article 56).

With the 2007 constitutional reforms, some additional powers were allocated to the parliament:

- 'The Senate has received new powers that allow it to carry out the *Majilis's* lawmaking function if the latter is dissolved before the appointed time' (Sarsembayev 2007: 122).
- In addition to the right to approve the prosecutor general and the chairperson of the National Security Committee, the senate also gained the right to approve the chairperson of the National Bank (Sarsembayev 2007: 122).
- For the first time, the government would not only be accountable to the president, but would also have to answer to parliament (Sarsembayev 2007: 122).
- 'The *Majilis* now only requires a simple majority to express a vote of no-confidence in the government rather than the two-thirds majority that used to be necessary' (Sarsembayev 2007: 122). The initiative has to be supported by 20% of the deputies of the lower house (Sarsembayev 2007: 123). The new amendment simplified the procedures for a vote of no confidence against an individual minister (Sarsembayev 2007: 122).

- The lower house of parliament [it is not clear if alone or in combination with the Senate, AH] was granted the right to appoint two members of the Central Election Commission as well as three members of the Accounts Committee, each for a five-year term (Sarsembayev 2007: 124).

With a compliant parliament dominated by his own party ('one-party parliament'), President Nazarbayev has consolidated his authority over all branches of the political system (Isaacs 2008: 384–385). However, some authors see things differently:

To dismiss the Senate and Majilis out of hand, however, as a rubber stamp body would be a mistake. The parliament is comprised of professionals who, while working under one platform, lobby for the regions of the country they represent and the needs and concerns of their local constituents. There is genuine debate and discussion in the Majilis, in spite of the fact that all members represent or are favorably inclined towards Nur-Otan [the ruling party, AH]. Debate and discussion in the parliament mainly takes place along regional and not ideological lines (Bowyer 2008: 4).

### 3.5. Political Party System

In the early years of independence, 'Nazarbaev initially allowed political parties and social movements to form and mobilize virtually unrestrained [...]' (Jones Luong 2002: 143; see also Schmitz 2003: 18).

All social organizations (including political parties) require state registration. Political parties that are not officially registered are not allowed to advertise or to present themselves in the media, to organize meeting or rallies or to participate in elections (Gumpfenberg 2002: 153–154). In the run-up to the 1994 parliamentary elections, the government imposed onerous conditions on the registration of political parties and social movements: in order to register, a party had to submit a list of at least 3,000 members from 11 different provinces, provide the organization's financial information and furnish personal information about its members (Hunter 1996: 56; Bremmer/ Welt 1995: 147; Jones Luong 2002: 145). Local and regional administrations (i.e. election boards) could thereby frequently block candidates from participating in elections by refusing to accept their registration (Bremmer/ Welt 1995: 147; Jones Luong 2002: 235).

'Many aspects of the Kazakh law on political parties and election procedures limit the people's freedom of association and restrict the activities of a number of political groups' (Hunter 1996: 55). Based on Article 5, Paragraph 3 of the constitution prohibiting the incitement of social, racial, national, religious, class and tribal enmity, the law precludes political parties organized according to ethnicity, race, nationality, religion or gender (Bowyer 2008: 9; Isaacs 2008: 382–383).

Since 2002, the organization and activities of political parties have been governed by the 'Law about Political Parties'. To register with the Ministry of Justice, a party requires a membership of at least 50,000 (up from 3,000), divided up proportionally by oblast with no fewer than 700 registered in each of Kazakhstan's 16 regions (Bowyer 2008: 9). The registration requirements for parties wishing to take part in elections and the verification process by the Ministry of Justice are very stringent; a single mistake in an application is grounds for elimination. Additionally, there is no legal timeframe for the Ministry to make its decision on a party's application. As a result, two prospective parties were barred from running in 2007 because their applications were still pending at the time of the elections (Wilshire 2007: 4).

Political parties in Kazakhstan generally tend to be weakly organized with centralized decision-making structures and few participating members. They lack funding as well as organizational and communicational infrastructure. Political parties are mostly centred on a small group of elite actors or a charismatic personality and tend to lack issue-based platforms, a party programme, a coherent ideology or an easily identifiable electorate (Gumpfenberg 2002: 150; Bowyer 2008: 14; Abazov 1999: 172; Isaacs 2008: 382–383).

Nearly two decades after independence, parties are still more known for their leaders or leadership conflicts than for their ideas. Kazakhstan's elite base has not yet undergone the process of political



differentiation. In addition to their lack of independent economic resources, opposition leaders have been unable to overcome the social and political cleavages that they share with others from their generation of intellectuals. Until economic interests caused a split, elites of this generation were more or less homogeneous. Their political movements thus did not represent intra-elite competition, which is important to party leadership development (Bowyer 2008: 11, 31).

In the last few years, a somewhat new model of political party has emerged in the region (e.g. in Azerbaijan and Russia), a 'super party' that dominates the national legislature as a result of 'well-managed' elections (Bowyer 2008: 4; see also Lundberg 2009). Kazakhstan's political party landscape is currently dominated by the ruling **Nur-Otan** (Light of Fatherland or Fatherland's Ray of Light) party, which dominates both the parliament and the public debate. By far the largest party in the country, Nur-Otan has 740,000 members nationwide, with 3,400 deputies serving in oblast legislatures and lower levels of government. Nur-Otan was formally created (by presidential decree) in December 2006 as a merger of two other pro-presidential parties, the Civic Party and Asar, the Agrarian Party, with the Otan party. Nur-Otan is certainly the only party with the resources to operate in every electoral district and to run a party newspaper (Bowyer 2008: 13–14). In 2007, state and government officials were granted permission to be members of political parties and take up official party posts. This provision allowed President Nazarbayev to officially become the chairman of Nur-Otan (Isaacs 2008: 382–383; Schmitz 2003: 20).

Perhaps the most significant event that occurred in 2004 was the resignation of Otan party leader and parliamentary speaker Zharmakhan Tuyakbai in the aftermath of the parliamentary elections. Publicly condemning local election officials for deliberately rigging the election results and stating that he could no longer represent a party that had won due to fraud, Tuyakbai joined the opposition and was elected the chair of the opposition coalition 'For a Just Kazakhstan' (also known as 'For a Fair Kazakhstan'). Consisting of the Communist Party of Kazakhstan, the Ak-Zhol Party and Democratic Choice of Kazakhstan, the coalition's objective was to nominate a single candidate in the 2005 presidential elections (Bowyer 2008: 33). Since then, its activities have been limited.

However, numerous other political parties exist in Kazakhstan. They can be characterized as pro-presidential, loyal opposition, and opposition (Bowyer 2008: 12; Isaacs 2008: 382–383). Smaller pro-presidential parties, such as Rukhaniyat and the Party of Patriots, remain obedient yet marginalized.

The **Rukhaniyat Party** ('Rebirth') is a small party that tends to support the ruling government's position. The party pledges to expand the economy, address social issues and develop the spirituality of society (Bowyer 2008: 20).

The **Party of Patriots of Kazakhstan** (PPK) is sometimes critical of certain government policies, but generally supports most presidential initiatives. The party aims to establish a governmental system based on the rule of law and democratic principles, and to promote a civil society with a market economy and higher standards of living (Bowyer 2008: 21).

The main loyal opposition party is **Ak-Zhol** ('Bright Path'), which describes itself as 'constructive opposition'. Its party leader, Alikhan Baimenov, later became a key player in the President's Commission for Further Democratization of Kazakhstan (Bowyer 2008: 22).

The other loyal opposition parties are the much smaller and less effective Adilet, Social Democratic Party 'Auyl', the Communist Party of Kazakhstan, and the Communist Peoples' Party of Kazakhstan.

The '**Adilet**' Party ('Justice') fights for justice and against corruption. It is active in its critique of the government, recently criticizing a state project on economic development of the regions (Bowyer 2008: 21).

The **Kazakh Social Democratic Party 'Auyl'** ('Village') promotes itself as a party for the defence of rural districts and social justice. In this capacity it focuses on the development of agriculture and the protection of agricultural workers' interests. Auyl also supports economic and political reforms

aimed at further democratizing society and increasing the standard of living for the citizens. It works cooperatively with the president and Nur-Otan (Bowyer 2008: 23).

The **Communist Party of Kazakhstan** (CPK) is the original successor to the Communist Party of the Kazakhstan SSR (Bowyer 2008: 24). The party was not allowed to field candidates in the 1994 elections, thus removing from the ballot the one party that enjoyed any kind of name recognition (Bowyer 2008: 11). In 2004, it joined with the Democratic Choice of Kazakhstan and won 3.4%, falling short of the 5% threshold (Bowyer 2008: 25).

The **Communist People's Party of Kazakhstan** (CPPK) competes with the opposition Communist Party of Kazakhstan; it has not won any seats in parliament. The CPPK is largely pro-president. The party promotes Marxist-Leninist ideology, but has adapted to the new realities of social development (Bowyer 2008: 25).

Those in the category of outright opposition include the All-National Social Democratic Party and, following Ak-Zhol's split, Azat.

The **All-National Social Democratic Party** (ANSDP) emphasizes the establishment of democracy, rule of law, a socially-oriented state, an innovative economy and a new 'humanist' system of politics, as well as the principles of the social-democratic movement (Bowyer 2008: 28). In October 2009, ANSDP merged with the Azat party.

The **Azat party** (formerly Naghyz Ak-Zhol, 'True Bright Path') claims to be the most structured and popular democratic opposition party in the country. It split from the Ak-Zhol party in 2005 (Bowyer 2008: 26).

In June 2007, prior to the announcement of the election, the ANSDP and Azat declared that they were merging. Due to the later ban on electoral blocs, they failed to get registered by the Central Election Commission and thus could not participate in the 2007 election. Only pro-presidential and loyal opposition parties were registered by the Commission and thus allowed to run (Bowyer 2008: 12; Isaacs 2008: 382–383). In October 2009, ANSDP and Azat finally merged.

In general, political parties in Kazakhstan do not function as a forum for the aggregation, articulation and execution of political interests (Gumpfenberg 2002: 153). The opposition has been fragmented due to internal dissension and external pressures. It is exceptionally weak, with no party strong enough in terms of its popularity, influence, outreach, financial wherewithal or stature to be considered an effective counterweight to official power in the country (Bowyer 2008: 12, 34).

### *Political Movements*

The **Democratic Choice of Kazakhstan** (DCK) movement represented a new stage in the evolution of opposition movements in Kazakhstan; it was brought on by the emergence of a new economic cleavage within the country's previously homogeneous elite. The DCK movement was created in November 2001 by elements of Kazakhstan's business and political elite to challenge the leadership of the country. It called for the decentralization of political authority (via the direct election of regional governors), a strong legislature and an independent judiciary to balance presidential power. The government's response was swift and sure: within weeks, DCK members holding government posts were replaced and criminal charges alleging tax evasion and misuse of office were filed against the movement's two most outspoken leaders, Galymzhan Zhakiyanov and Mukhtar Ablyazov. A group of mainly members of the new political and business elites left the movement to create the Azat party. The DCK itself was dissolved by court order in early 2005. (Junisbai/ Junisbai 2005; Bowyer 2008: 31–32). 'The formation of a new political movement in November 2001 revealed the first serious fissure in the political debate, and elite conflict became visible and open' (Cummings 2005: 4).

### 3.6. Electoral System

The constitution specifies that members of parliament as well as the president shall be elected in general, direct, free, equal and secret elections (Articles 41 and 51).

Candidates to the Senate were required to obtain signatures from 'not less than ten percent of the votes from the total number of electors representing all councils (i.e. legislatures) of the oblast, Almaty, and Leninsk' in order to register (Jones Luong 2002: 237).

Candidates to the Majilis were required to pay a 'filing fee' 'equivalent to approximately 100 times the minimum wage, and to collect 3,000 signatures' (Jones Luong 2002: 237).

'Many aspects of the Kazakh law on political parties and election procedures limit the people's freedom of association and restrict the activities of a number of political groups' (Hunter 1996: 55). All political organizations and presidential candidates have to officially register, a procedure that can be used as a political weapon against the opposition (Kangas 1995: 278).

Applying the laws has also often been done in a manner that serves the existing government. According to a number of observers, during the December 1991 presidential elections, the Kazakh government applied legal requirements on nominating a candidate specially to achieve a desired outcome. [...] The government waited until November 1991 to announce the date of the presidential elections scheduled for December 1, in effect preventing anyone else from qualifying, as the law required 100,000 signatures for a potential candidate to appear on the ballot. [...] Similar manipulations of rules and governmental interference happened with the parliamentary elections of March 1994 (Hunter 1996: 56).

#### *Individual Elections*

In the 1994 parliamentary elections, political parties complained that they had great difficulty registering their nominees. Election observers from the European Union questioned the fairness of the election due to reports of widespread irregularities in the nomination procedure and in the actual voting process (Brown 1996: 12). These irregularities included voter intimidation, whereby polling station officials told voters which candidate to support; discrepancies between electoral rolls and the number of ballots cast (ballot stuffing); and instances of multiple voting that raised doubts about whether the 50% minimum turnout necessary for validation had in fact occurred (Bremmer/ Welt 1995: 147–148). The election was also peculiar in that the election commissions counted ballots left blank as 'yes' votes (Furman 2005: 211).

In October 1998, the parliament moved the presidential elections forward by one year to 10 January 1999, which left the opposition little time to organize. The elections were organized in such a way that many candidates did not have enough time to fulfil the strict procedural norms and special requirements for registering to run in the elections (Abazov 1999: 172–173). Despite protests, Nazarbayev was duly re-elected for a new, longer term of seven years in January 1999 (Economist Intelligence Unit 1999: 7).

Through a constitutional ambiguity, the authorities again moved the presidential elections up from the originally scheduled date of December 2006 to December 2005 (Economist Intelligence Unit 2008b: 8). Nazarbayev won the presidential election of 2005 with more than 90% of the vote. The elections attracted negative commentary from the Organization for Security and Co-operation in Europe (OSCE), which claimed that they had not met international standards, citing failings such as campaign restrictions, interference at polling stations, multiple voting, pressure on voters, media bias and restrictions on freedom of expression (Knox 2008: 478).

Rumours that the 2009 parliamentary election would be brought forward were confirmed in June 2007, when Mr Nazarbaev dissolved the Majilis and called an election for August 18th, ostensibly to allow amendments to the constitution that had been approved in May to come into effect (Economist Intelligence Unit 2008b: 8).

The call for early elections came as a surprise for many parties, which found themselves with little time to prepare (Wilshire 2007: 3).

All election commissions in Kazakhstan are composed of seven members who are appointed for a five-year term. This appointment system has led to considerable overrepresentation of the ruling Nur-Otan party on the commissions. In addition, the chairmen of nearly all of the commissions are representatives of the ruling party. Due to the fact that there was no legal timeframe for the Ministry to make its decision on party registrations, two prospective parties with pending applications were barred from running in the 2007 elections (Wilshire 2007: 3–4).

Unlike in previous elections, the campaign generally took place without undue interference from local and federal authorities. The access to media during the 2007 parliamentary campaign improved for oppositional political parties: they were granted free advertising space in state-funded newspapers as well as free airtime on state-funded TV and radio stations. Additionally, a series of debates involving all seven parties running in the elections were organized on two state-funded TV stations. However, access to privately owned advertising space proved to be difficult for most oppositional parties. Moreover, state-funded media showed a clear bias in favour of the ruling Nur-Otan party during the campaign (Wilshire 2007: 4).

During the elections themselves, multiple voting occurred and international observers were restricted in their work (Wilshire 2007: 5). As a result, only the ruling Nur-Otan party passed the threshold of 7% of the votes to enter parliament, creating a super party that is not a true reflection of the range of political views existing in Kazakhstan (Wilshire 2007: 5). The largest opposition party, the All-National Social Democratic Party (ANSDP), was only able to secure 4.5% of the vote (Economist Intelligence Unit 2008b: 5).

Since independence, Kazakhstan's leadership has used elections as a means of control over the masses instead of a tool for establishing its accountability. Elections have become purely decorative and a quasi-democratic institution (Shestopal 2002: 173–174).

In view of the president's power position and the dependence of political stability on his person, it is not astonishing that the Central Asian presidents have tried to minimize the political risks of elections by controlling central and regional electoral commissions, the registration process of parties and candidates, and by influencing the coverage by the mass media (Geiss 2006: 33).

### 3.7. Elite Recruitment

Like in Azerbaijan, the core of the political elite in Kazakhstan primarily consists of members of the titular nation's ethnic group who have family or clan connections. However, it is not a homogeneous group; there are regular internal conflicts. By and large, its composition has three essential characteristics: a Soviet legacy, family or clan membership, and ethnic affiliation.

The Soviet-era elite in Kazakhstan was largely successful in maintaining power during the political and economic transformation. After being elected president, Nazarbayev awarded key positions to former high-ranking Communist Party functionaries, including several relatives and confidants. He thus managed to surround himself with a circle of loyal individuals both in the presidential administration and in strategic positions throughout Kazakhstan. As a result, a deeply personal continuity in the political elite formed. Many regional Communist Party officials transferred directly into the regional government administration of the newly independent Kazakhstan, which resulted in a very

high proportion of former Communist officials working in the government in 1995 (Murphy 2006: 540; see also Dave 2007; Satpayev 2007; Cummings 2005; Schmitz 2003).

As a rule, government posts were filled by networks based on informal institutions like kinship, membership in a clan and patronage. In Kazakhstan, clans are traditionally divided into three tribal-territorial groups known as hordes (Zhuz).<sup>3</sup> Although the importance of affiliation with particular hordes is officially downplayed nowadays, they nonetheless continue to play a relevant unofficial role in access to state resources and services (cf. e.g. Murphy 2006; Schatz 2004). Even though the tribal factor played a role in Nazarbayev's personnel policy, the most important criteria for appointment to key government positions were loyalty toward the president and expertise (Schmitz 2003: 31).

The transformation processes of the 1990s also gave rise to new channels of recruitment; the parliamentary elections, for example, enabled new representatives from science and industry to enter into politics. However, there is little evidence of significant changes in elite make-up and intra-elite relationships after 2002, although the concentration of power in the president's office seems to have strengthened.

There has been a trend towards personalized executive authority in Kazakhstan with a small, encapsulated group of officials cycling through government positions (Murphy 2006: 525, 540). The 2007 parliamentary elections, for instance, had little impact on the formation of government, as most of the same ministers remained in office (Isaacs 2008: 384–385). In order to preserve the exclusive nature of decision-making,

[...] established elites constructed institutions that deliberately reconfigured the previous division of political influence without disrupting the widely recognized basis for allocating power and privilege (Jones Luong 2002: 253).

#### *New Business Elite, Old Tribal Elite*

A new, homogeneous group, consisting mainly of younger technocrats from the financial and business sectors, has tried to forge ahead and enter politics. Criticism of the old political elites is often raised under the pretext of 'good governance' or Kazakhstan's lack thereof (Schmitz 2003: 24). So far, the old elites dominating the government have been successful in containing the newcomers either with soft methods, such as co-option into the government, or repression (Schmitz 2003: 5–6). In 2002, President Nazarbayev clarified that business leaders would not be permitted to 'interfere' in politics (Murphy 2006: 547).

On the other hand, the political elites have embraced business activities, but these are typically interspersed or combined with government responsibilities (Dave 2007).

The central elite has successfully repressed the emergence of an independent acquisition class, so that although Kazakhstan's economy is now mainly privately owned, it is largely owned by the same people who run the state. Control of the state is the key to power—and wealth—in today's Kazakhstan (Murphy 2006: 550).<sup>4</sup>

President Nazarbayev's authoritarian style of leadership has also encountered resistance from traditional tribal elites excluded from wealth and power (Tolipov 2006: 64; Furman 2005: 224). The president is trying to regain political balance by integrating elites, which has resulted in frequent changes

3 During the 16th century, the Kazakh-speaking population was divided into three hordes (Zhuz), the elder, the middle and the younger horde. The main characteristics of the division are the hierarchy according to age and the degree to which the hordes are represented in the power elite. The Kazakh elite, which developed in the 1990s, is overwhelmingly dominated by representatives of the elder horde. Nursultan Nazarbayev belongs to the elder horde, for example.

4 One study concerned with the role of conflicts among Kazakhstan's political elites and the influence these have on economic liberalization demonstrates that these conflicts are based on rival economic interests, which could lead to the emergence of new political actors. These in turn attempt to influence political processes in their favour. The study speculates that a strong opposition to the ruling elite could evolve, possibly leading to political reforms and a democratization of the regime (Schmitz 2003: 10–17).

in the cabinet of ministers ordered by the president (Geiss 2006: 33; Tolipov 2006: 64; Satpayev 2006: 185). 'A series of personnel reshuffles followed in 2007–08, whose primary aim appeared to be to realign the balance of power between rival clans' (Economist Intelligence Unit 2008b: 8).

In addition to co-opting elite members or groups, the government has also appropriated the ideas and demands of oppositional groups (Schmitz 2003: 26).

### 3.8. Civil Society

Kazakhstan's ruling elite is organized along clan structures and competes for control of a pyramidal distribution structure that allows substantial funds to be skimmed from the oil business. Thus, the elite can be divided into two groups: those that are part of the governing bloc with access to oil rents and the others.

This division into insiders and outsiders is also a particular feature of interest representation in Kazakhstan. Special interest groups do not aim to change the political system through lobbying but instead attempt to become part of the system themselves. The representation of special interest groups is achieved through co-option in the executive branch of government and its administrative bodies.

For that reason, this chapter does not analyse the interest representation of special interest groups such as trade unions and business associations (for further information on elite co-option, see Chapter 3.7). The focus here is instead on the attempts of civil society organizations to hold the government accountable, provide social services and protect citizens' rights.

Alongside a whole range of largely unreconstructed Soviet-era social and political organizations, new civil society organizations have emerged. At first, the majority of them were service providers that replaced the collapsed Soviet social service institutions. Until early 1994, Western NGOs<sup>5</sup> and development agencies as well as local social organizations were allowed to form and mobilize virtually unrestrained throughout Kazakhstan (Jones Luong 2002: 143, 151). However, throughout the 1990s, NGOs were primarily seen as bodies undertaking functions no longer performed by government agencies; in most post-Soviet countries, the idea of an NGO was unknown. There was a lack of understanding of the role and purpose of NGOs, most of which were primarily supported by international donors. Much of the recent growth in civil society organizations, including both NGOs and other citizens' organizations, is the result of international influence (Abdusalyamova/ Warren 2007: 8–9).

By 2000, several features of the Kazakh NGO sector became apparent: (1) although the number of local NGOs has increased since independence, both the size of their membership base and their political significance have decreased. Most local NGOs are small and lack a wide support base, with fewer than ten members; (2) an urban-rural divide, in which most of the stronger NGOs are located in the capital cities and provincial centres; (3) a strong gender dimension (women's leadership and staffing); and (4) having mostly been initiated by strong individuals who sometimes lack a clear mission, many of these NGOs have become increasingly apolitical and focused on global rather than local issues (Jones Luong/ Weinthal 1999: 1270, 1280; Buxton 2009: 44).

Although energy is recognized to be the most important sector for the country's future, local NGOs have paid little attention to the environmental impact of energy development in the 1990s. Instead, many local NGOs are jumping on the bandwagon of broad international issues and ignoring the most fundamental issues at home. Dependent on international funding, they often are more concerned with gaining the international community's attention and approval than working with their own government. Since 1997, the role of international donors has increased substantially, resulting in an indirect and asymmetrical relationship between state and society in which non-domestic actors act as mediators. Environmental and societal interests, for example, are not mediated through domestic institutions, as in a democracy, but rather through international actors and organizations. The initiative

5 The term 'NGO' excludes both trade unions and political parties.

for environmental protection emanates from international pressures and direct foreign intervention (Jones Luong/ Weinthal 1999: 1280; Satpayev 2006: 179).

At the beginning of the 2000s, a number of Western donors took an increased interest in community development when they realized that NGOs were drawing upon urban cadres that are not always representative of, or in close contact with, the general population, especially in the countryside. This resulted in greater attention to community-based organizations (Buxton 2009: 46). On the other hand, given their structural and organizational limitations, NGOs had little alternative other than to mobilize family and clan links, or older modes of organization such as traditional or 'communal' groups and networks. 'In general, civil society includes a whole variety of "non-NGO" groups, and can be conceived of as a "space" rather than as a set of organizations' (Buxton 2009: 45).

Since 2004, the Kazakh government has started to engage civil society organizations in its projects and initiatives through 'social contracting' (this does not apply to human rights groups, however) (Buxton 2009: 46). Before that, civil society was largely ignored as a social partner by governmental bodies (cf. Satpayev 2006: 182–183).

The re-focus on local issues has led to an interest in the environmental problems caused, among other things, by the energy development in the region. Weinthal (2004: 261–268) offers a detailed analysis of the relations between environmental NGOs, national governments and a variety of international actors around issues such as the clean-up of the Semipalatinsk nuclear testing zone in Kazakhstan, the drying up of the Aral Sea, and the intensified oil industry pollution of the Caspian Sea.

While Central Asian governments lack the institutional capacity to solve these complex problems, foreign funding for NGOs is an inadequate response to the ecological crisis of the region. Nonetheless, civil society has clearly played an important role in spreading information, debating options and monitoring programmes. NGOs have been particularly active in the Caspian region, often drawing on the skills of now unemployed scientists from the Soviet era. Interestingly, the local NGOs and international agencies initially had greater success in targeting the foreign-owned oil and gas companies than with national government and publicly owned companies. But in 2004, Kazakhstan's NGOs scored a very important victory with their own government. After a public campaign, they won a ban on the recycling of nuclear waste anywhere in the country, citing the dangers of transportation of nuclear waste to reprocessing sites (Buxton 2009: 52).

### 3.9. Mass Media

The right of free expression is guaranteed in Article 20, Paragraph 1 of the Kazakh Constitution. However, incidents of government repression of the media (sanctions against journalists, shutting down or denying access to printing presses) and of oppositional opinions have in general increased since 1993 (Bremmer/ Welt 1995: 145; Jones Luong 2002: 143).

The right of free expression is restricted through the arbitrary application of Paragraph 3 of Article 20, which prohibits the incitement of hatred between ethnic groups, and Article 46, Paragraph 1, which protects the dignity and honour of the president. These highly restrictive clauses on media freedom have enabled courts to close down media outlets for 'violating Kazakhstan's integrity', condoning 'extremism', or 'undermining state security' (Gumppenberg 2002: 158; International Media Support 2008: 17–18).

Additionally, the work of independent mass media is impeded by (invented) 'technical problems' at broadcasting stations or 'paper shortages' in printing houses (Gumppenberg 2002: 158–159). The government controls access to printing facilities and supplies them with paper as well as owns all television and radio broadcasting towers (as opposed to production studios), which gives it an important lever of control over the media (Hunter 1996: 58; Bremmer/ Welt 1995: 146).

Another obstacle for independent media is the dominance of state-controlled media outlets (Hunter 1996: 57). In the course of privatization, the Nazarbayev family obtained TV channels and frequencies. Supporters of the president or his family members also acquired oppositional print media (Furman 2005: 216). Additionally, '[...] many private print media outlets receive government subsidies' (Economist Intelligence Unit 2008b: 7). The government has also put effort into controlling the Internet, which is considered part of mass media and has thus been regulated by media law since 2001 (Gumpfenberg 2002: 60). As a result, the electronic mass media in Kazakhstan are mostly owned and controlled by the president's family and ruling party (Wilshire 2007: 5).

Moreover, existing legal provisions regarding libel and defamation further undermine the principle of free speech and lead to journalistic self-censorship. Critical voices in the media in Kazakhstan are also stifled by some media owners and criminal elements. Understandably, journalists are by and large not ready to take professional or personal risks that can include kidnapping and murder (Wilshire 2007: 4; International Media Support 2008: 17–18).

The journalists' cautious behaviour when reporting on political events is manifested in their adherence to official statements served up by government representatives. However, avoiding potential confrontations with the government means that little authentic information ends up being channelled to the public (International Media Support 2008: 23). Especially during election times, widespread disinformation campaigns against the opposition are staged (so-called 'information wars' involving the usage of 'compromising materials'), independent and pro-opposition journalists are criminalized, and other forms of intimidation are deployed (International Media Support 2008: 17–18).

### 3.10. Political Culture and Political Participation

Some authors claim to have found confirmation of certain stereotypes of Kazakh political culture: (1) Kazakhs are paternalistic with a belief in strong presidential power (Cummings 2002: 12).<sup>6</sup> (2) The head of state is seen as a guardian of political stability and of the order of the state; free democratic elections pose a threat to this stability (Geiss 2006: 33). (3) Even the opposition has to demonstrate solidarity with and loyalty toward the head of state if it wants to influence politics in Kazakhstan. Open dissent and lack of subordination are not tolerated (Schmitz 2003: 26).

The extent of Nazarbayev's electoral victory suggests that few Kazakhs were willing to risk their material gains, even for the sake of greater democracy, freedom of the press and a crackdown on corruption, all of which were promised by the opposition parties (Knox 2008: 478).

At the beginning of the 1990s, ideas of liberal democracy had spread in Kazakh society along with the hope that a market economy and democratization of the political system would raise the quality of life. However, like the socialist ideology that came before, liberal democracy was discredited and a new sentiment took root: the Kazakhs were not yet ready for democracy, and furthermore, democracy and the accompanying market economy clashed with the Kazakh mentality and traditions (Kadyrzhanov 2001: 41, 45).

Instead of liberal democracy and a market economy, the idea of 'Eurasianism' as a distinctive development path became the leading conceptual framework for Kazakhstan's state planners. Kazakhstan's Eurasianism assumes that the nation is essentially an Asian country with 'Asian cultural values' (Perlman/ Gleason 2007: 1332).

The Asian model rejects the minimalist conception of the state and the individual's role within society. Instead, it endorses rule by persons of moral authority over the rule of law and promotes paternalism over legalism. Finally, it offers a formula for a unique approach to the relationship between modern man and the modern state. In practice, the Asian model of strong government has been

<sup>6</sup> While strong leadership has a history among the Kazakhs, so does participatory decision-making (Bowyer 2008: 4–6).



associated with populism, import substitution, regulatory control of markets and redistributive goals. The Asian path is syncretic, binding together the interests of the state, the society, the family and the individual. The Asian model conceives of government as above all consisting of personal obligation and duty; business relations primarily depend upon networks and social obligations. The Western model stresses *laissez-faire*, open economics, while the Asian model relies on national strategies and actively supervises, monitors and regulates the competitors. The cornerstone of the Western model is individualism and self-interest; the Asian model is founded upon loyalty and obligation. In the former, independence is expected and opposition is considered a challenge. In the latter, disagreement is considered impolite and opposition is considered treachery (Perlman/ Gleason 2007: 1333; see also Kadyrzhanov 2001: 42).

In general, one might expect to find indifference among the population toward the political system in Kazakhstan.

With five elections to parliament in the last twelve years, including two Constitutional referenda and two parliaments dismissed prior to fulfilment of their mandates, the population of Kazakhstan may have moved beyond scepticism regarding politics towards a degree of indifference, judging by the limited public engagement in the political process seen in recent years. Public scepticism with elected leaders or political parties in independent Kazakhstan is not a new phenomenon (Bowyer 2008: 10).

Nevertheless, in a public opinion survey conducted in Kazakhstan in February 2009, 41% of the respondents believed that democracy is the right form of government for the country, with only 6% strongly disagreeing. However, 41% of the survey takers answered the question with 'maybe' (International Republican Institute et al. 2009: 31).<sup>7</sup>

In a similar vein, 62% of the respondents agreed that it is healthy for Kazakhstan to have an active political opposition; only 17% disagreed (International Republican Institute et al. 2009: 21). On the other hand, a full 75% of the respondents agreed that Kazakhstan needs a very strong and popular leader to run its everyday affairs (International Republican Institute et al. 2008: 9).<sup>8</sup>

### 3.11. Legal System and Constitutional Court

The constitution provides for a Constitutional Court, a Supreme Court and local courts (civil, administrative, criminal and others).

In the early years of independence, the Constitutional Court as well as other courts showed increasing signs of independence by annulling a number of executive-branch and presidential decrees on grounds that they violated the constitution (Bremmer/ Welt 1995: 149; Hunter 1996: 57; Brown 1996: 11). In 1995, however, the president abolished the Constitutional Court, replacing it with the Constitutional Council, which consists of seven (instead of 17) members, of whom three are appointed by the president and two by each chamber of parliament for a term of six years (Olcott 1997: 231; Economist Intelligence Unit 1999: 6). Citizens still have no right to directly appeal to the Constitutional Council (Economist Intelligence Unit 2008b: 6).

With the constitutional revision of 1995, the power of the parliament in the nomination process of judges was decreased, while the power of the president in that matter grew. Judges (except to the Constitutional Council) are now appointed solely by the president; chairmen of courts and boards serve terms of five years (Hunter 1996: 44, 57; Issenova 2006: 162)

<sup>7</sup> The nationwide poll was conducted 14–23 February 2009, whereby 1,519 respondents were surveyed on a face-to-face basis. The margin of error does not exceed 2.5% (International Republican Institute et al. 2009: 2).

<sup>8</sup> The nationwide poll was conducted between 28 July and 9 August 2008, whereby 1,524 respondents were surveyed on a face-to-face basis. The margin of error does not exceed 3% (International Republican Institute et al. 2008: 2).

‘Institutional, structural and organizational changes, which judicial institutions had undergone, received high appraisal from international organizations and legal experts’ (Issenova 2006: 175). However, the state of Kazakhstan’s judiciary still causes concern for the local legal community and for international experts. In general, doubts about the independence of judges prevail. Many judges appear to interpret independence as unaccountability (judicial self-will, abuse of power) (Issenova 2006: 159).

Judges remain dependent in terms of appointment, logistical support and internal subordination dependence. The Ministry of Justice is charged with court administration and the Justice Qualification Board (to assess the qualification of judges) was part of the Ministry (Issenova 2006: 157, 160–161). ‘Some judges admit that they are strongly dependent on the executive authorities in certain areas, primarily in the material sense, for example, in the allocation of housing’ (Issenova 2006: 160).

### 3.12. Regional and Local Policy

Kazakhstan is divided into the following tiers of local government:

- Third (oblast) tier, which includes the local state administrations, that is, the executive and representative bodies in fourteen oblasts and two cities, Almaty and Astana,
- Second (raion) tier, which includes the executive and representative bodies in 160 raions and 79 cities of raion status,
- First (rural) tier, which includes the local administrations in towns, villages (auls) and rural counties.

Administrative-territorial division is the organizational, legal, social and economic basis for the system of local government. The administrative-territorial structure in Kazakhstan is distinguished by its traditional division into administrative units of equal status. According to legislation, all raion, city and oblast administrations (akimats) have equal powers regardless of their economic potential, population or size. Exceptions to this rule are Almaty and Astana, whose representative and executive bodies are assigned broader powers by specific laws addressing the status of these cities (Makhmutova 2001: 407–408).

Immediately after his election as president in December 1991, Nazarbayev began centralizing power in the executive branch; he also maintained central control over regional leaders’ appointments and activities. However, Nazarbayev strove to concentrate power within the executive branch at every administrative level, rather than just within the presidential apparatus alone (Jones Luong 2002: 137, 139–140).

‘Increasing the power of the presidency did not amount to the exclusion of regional leaders from direct influencing, and indeed, participating fully in the political process’ (Jones Luong 2002: 140). The ‘Law on Local Self-Government’ of 1992, for instance, was revised in order to strengthen the role of regional leaders in November 1993 (Jones Luong 2002: 139–140). Due to concerns about the regional balance of power, the newly drafted electoral law of 1995 incorporated the views of regional leaders, who had felt left out in the first version of 1993 (Jones Luong 2002: 222–223). Regional leaders repeatedly tried to increase their influence both in national decision-making and within their respective oblasts, mostly in the interest of vying for more resources (as in Soviet times) (Jones Luong 2002: 223–224).

Between 1994 and 1997, however, administrative and legal reforms reduced the number of regional units from 20 to 16, and the corresponding regional administrations were abolished; the number of ministries was reduced from 24 to 14 and ministerial commissions and committees were rationalized (Geiss 2006: 37). The reasserted dominance of the centre has to be understood in terms of the conflicts of influence that prevailed during the economic downturn of the 1990s. Given Kazakhstan’s wide-reaching regional disparities, a reinvigorated centre can alleviate differences in income more forcefully and can ensure the uniform provision of public services throughout its territory. Transfer payments do not seem to be an effective way to tackle regional disparities, however, because their value is subject to large fluctuations (Paarmann 2007: 32–33).

In a public opinion survey conducted in 2009, 59% of the respondents agreed that local government authorities need more power to resolve local social and economic issues (International Republican Institute et al. 2009: 21).

### 3.13. Appendix

Table 3.2: Office Holder in Kazakhstan, 1996–2009

President	Nursultan Nazarbayev (1991– )
Prime minister	Akezhan Kazhegeldin (1996–1997) Nurlan Balgimbayev (1997–1999) Kasymzhomart Tokayev (1999–2002) Imangaly Tasmagambetov (2002–2003) Danial Akhmetov (2003–2007) Karim Massimov (2007– )
First deputy prime minister	Nigmatchan Isingar, Vitaly Mette (1996) Akhmetzhan Yesimov (1997–1999/2000) Alexander Pavlov (2000) Daniel Akmetov (2001) 2002: vacant Aleksandr Pavlov (2003) Grigory Marchenko (2004) Akhmetzhan Yesimov (2005–2008) Umirzak Shukejev (2009)
Deputy prime minister	Akmetzhan Yesimov, Viktor Sobolev, Imangali Tasmagambetov, Nagashbai Shaikenov, Nikolai Makievsky (1996) Nikolai Makievsky, Viktor Sobolev, Imangali Tasmagambetov, Dyusembay Dyuseynov, Zhanybek Karibzhanov (1997) Zhanibek Karibzhanov (1998) Aleksandr Pavlov; Zhanybek Karibzhanov; Uraz Dzhandosov (1999) Yerzhan Utembayev; Daniel Akhmetov (2000) Imangly Tasmagambetov; Vladimir Sholnik; Uraz Dzhandosov (2001) Imangaly Tasmagambetov, Karim Massimov; Vladimir Shkolnik (2002) Baurzhan Mukhamedzhanov; Karim Massimov (2003) Sauat Mynbayev, Karim Massimov; Akhmetzhan Yesimov (2004) Sauat Mynbayev; Byrganym Aitimova (2005–2006) Aslan Musin (2007) Umirzak Shukejev (2008) Erbil Orynbayev; Serik Akhmetov (2009)

Source: Economist Intelligence Unit, various issues.

Table 3.3: Presidential Election Results

Date	Voter turnout (in % of the electorate)	Candidates	Percentage of the total votes
1991*	N/A	Nursultan Nazarbayev	98.7
10 January 1999	88.3	Nursultan Nazarbayev	79.8
4 December 2005	76.8	Nursultan Nazarbayev	91.15
		Zharmakhan Tuyakbay	6.61
		Alikhan Baimenov	1.61
		Yerasil Abylkasymov	0.34
		Mels Yeleusizov	0.28

\* uncontested election

Source: Economist Intelligence Unit, various issues.

Table 3.4: Parliamentary Election Results (Majilis)

Date	Voter turn- out (in % of the electorate)	Parties	Seats
7 March 1994 (135 contested seats)	73.5	Independent candidates	57
		Peoples' Unity Party of Kazakhstan	32
		People's Congress Party of Kazakhstan	22
		Socialist Party	12
		Federation of Trade Unions	12
9 December 1995 (67 contested seats)	76.2	Independent candidates	41
		Peoples' Unity Party of Kazakhstan	12
		Democratic Party	12
		Communist Party	2
10 October 1999 (77 contested seats)	N/A	Independent candidates	35
		Otan	24
		Civic Party	11
		Communist Party	3
		Agrarian Party	3
		Republican People's Party of Kazakhstan	1
19 September 2004 (77 contested seats)*	56.5	Otan	42
		Independent candidates	18
		AIST Bloc	11
		Asar	4
		Ak-Zhol	1
		Democratic Party	1
18 August 2007 (98 contested seats)	N/A	Nur-Otan	98 (88.4% of the vote)

\* Bowyer (2008: 48) describes Kazakhstan's 2004 parliament as 'Majilis without any formal opposition'.

Sources: Bowyer 2008: 43–50; Economist Intelligence Unit, various issues.

## 4. Azerbaijan and Kazakhstan in Political System-Related Country Rankings<sup>1</sup>

### 4.1. A Brief Introduction to Political Country Rankings

By Heiko Pleines

Since *Freedom House* began assessing the extent of freedom in the countries of the world in 1972, the idea of handing out 'report card'-style audits to entire societies has won increasing numbers of supporters. In the last decade, several organizations launched new projects that systematically and comparatively assess the political state of affairs. As a result, the areas under investigation are being increasingly differentiated and the rating systems are becoming ever more complex.

Whereas the first Freedom House project, *Freedom in the World*, only differentiated political and civil rights, the organization's *Nations in Transit* series, begun in 1995, now encompasses seven topic areas ranging from 'democracy and governance', 'electoral process', 'independent media', 'civil society', and 'corruption' to 'judicial framework and independence'. The *Bertelsmann Transformation Index*, which was introduced in 2003, evaluates nearly 40 indicators. The *Global Integrity Report*, which was first issued in the same year, tracks almost 300 indicators, but due to its in-depth level of investigation, covers a smaller number of countries. In addition, there are several rankings that consciously focus only on certain aspects of a political system, such as freedom of the media or corruption.

The increasing number of indicators has also complicated the evaluation process. Whereas the first Freedom House ranking simply offered scores from 1 through 7, the newer indices are based on composite values which allow for a more differentiated ranking of all countries in the world.

All political country rankings primarily refer to the ideals of democracy, human rights and the rule of law, and assess the extent to which individual countries meet these ideals. Perfect democracies with rule of law thus receive the highest marks, while dictatorships are generally at the bottom of the tables. Some rankings, however, also take into account the rulers' management qualities or socio-economic indicators and criteria related to economic policy.

Most of the rankings are based on expert assessments. As a rule, one or two experts write up a country study, which is subsequently reviewed and, if necessary, corrected by other experts. The experts are generally well acquainted with the country in question in their capacities as scientists or journalists. Alternatively, some indices such as the *Corruption Perception Index* published by Transparency International evaluate opinion surveys collected from the population or from economic experts. As a reaction to the increasing number of indices, the World Bank has created a meta-index. *Worldwide Governance Indicators* summarize the results of a total of 31 indices under the heading of a new index.

While many academics use country rankings in order to compare democratization processes internationally and to identify causal factors in successful transformations, others view such rankings as mere public-relations stunts or even find them misleading. The limits of their explanatory power can be seen when several indices that purport to measure the same variables are compared. Since 2002, the freedom of the press has been assessed by as many as three independent rankings, namely *Freedom of the Press Rating* (Reporters without Borders), *Nations in Transit—Media* and the *Press Freedom Index* (both from Freedom House). The significant discrepancies in the development of the individual indices for many countries illustrate the limitations of quantifying the freedom of the press.

Another weakness of country ratings is that shorthand representations in the news media overstretch the explanatory power of such indices. This is particularly true of the *Corruption Perceptions Index*, published by Transparency International, which is regularly described in the mass media as

<sup>1</sup> Compiled by Stefan Forstmeier, Christina Hinz, Kateryna Malyhina, Jana Matischok and Heiko Pleines.

a ranking of the world's most corrupt countries, with development trends being indicated by a comparison with the previous year. In its notes on the index, Transparency International rejects both of these uses as inadmissible. The index only measures perceptions, not actual corruption. Studies have demonstrated that this is a significant distinction. Direct comparisons with the values for the previous year are not admissible because of variations in sources used, moving averages over several years, and other methodological problems.

The World Bank also tones down the applicability of its *Worldwide Governance Indicators* in the fine print. The 'frequently asked questions' section states that changes in country rankings over time may be caused by four different factors. Three of these are related to changes in surveying methods and are not connected to the development of the country in question. In conclusion, it is stated that two of these factors 'typically only have very small effects on changes'.

But apart from these methodological questions on indexing, it must be stressed that the country ratings rely on the subjective appraisals of experts. These experts derive their opinions from journalistic publications and from their own personal assessments as academics, journalists, and business professionals; as a rule, they have no access to other non-public sources. At the same time, the experts, who generally only scrutinize one country, are limited in their ability to draw comparisons between different countries. Therefore, there is no guarantee that two experts assessing different countries that are on the same level of development will award the same ranking to their respective countries.

Accordingly, the *World Bank*, for example, declares:

We recognize there are limitations to what can be achieved with this kind of cross-country, highly-aggregated data. Therefore, this type of data cannot substitute for in-depth, country-specific governance diagnostics as a basis for policy advice to improve governance in a particular country, but should rather be viewed as a complementing tool.

This is probably also why most organizations supply extensive country studies together with their country rankings. These, however, generally tend to be disregarded by the media and the general public.

## 4.2. Bertelsmann Transformation Index (BTI)

Prepared by: Bertelsmann Foundation (Gütersloh, Germany)

Established: 2003

Frequency: Every two years

Covered countries: at present 125

URL: <http://www.bertelsmann-transformation-index.de>

The Bertelsmann Transformation Index (BTI) is a global ranking that analyses and evaluates development and transformation processes in transition and developing countries with more than 2 million inhabitants. The BTI analyses the status of democratization and market liberalization as it evaluates actor's performance in managing these changes. The quantitative data is outlined in two parallel indices: the Status Index and the Management Index.

The Status Index shows the development achieved by states on their way toward democracy and a market economy. States with functioning democratic and market-based structures receive the highest score. The Status Index's overall result represents the mean value of the scores for the dimensions 'Political Transformation' and 'Economic Transformation'. The mean value is calculated using the exact, unrounded values for both these dimensions, which, in turn, derive from the ratings for the five political criteria (Stateness; Political Participation, Rule of Law, Stability of Democratic Institutions, Political and Social Integration) and the seven economic criteria (Level of Socioeconomic Development, Organization of the Market and Competition, Currency and Price Stability, Private Property, Welfare Regime, Economic Performance, Sustainability).

The Management Index evaluates management by political decision-makers while taking into consideration the level of difficulty. The Management Index's overall result is calculated by multiplying the intermediate result with a factor derived from the level of difficulty evaluation. The intermediate result is obtained by calculating the mean value of the ratings for the following criteria: Steering Capability, Resource Efficiency, Consensus-Building and International Cooperation. The level of difficulty evaluation takes into account the structural constraints on political management. It is obtained by calculating six indicators that evaluate a country's structural conditions, traditions of civil society, intensity of conflicts, level of education, economic performance and institutional capacity.

Table 4.1: BTI Status Index, 2003–2010 (Index Values and Rank)

	<b>2003</b> Index values (rank)	<b>2006</b> Index values (rank)	<b>2008</b> Index values (rank)	<b>2010</b> Index values (rank)
Armenia	5.7 (46)	6.26 (44)	6.41 (41)	5.75 (62)
<i>Azerbaijan</i>	<b>4.4 (72)</b>	<b>4.51 (82)</b>	<b>4.51 (87)</b>	<b>4.85 (86)</b>
Belarus	3.9 (85)	4.47 (83)	4.47 (89)	4.52 (96)
Georgia	4.1 (79)	5.73 (61)	6.60 (38)	6.03 (52)
<i>Kazakhstan</i>	<b>5.1 (61)</b>	<b>5.48 (66)</b>	<b>5.53 (68)</b>	<b>5.24 (76)</b>
Kyrgyzstan	4.5 (69)	4.76 (78)	5.80 (63)	4.97 (83)
Russia	6.0 (41)	6.14 (47)	5.94 (59)	5.70 (65)
Tajikistan	3.2 (100)	3.50 (102)	3.80 (106)	3.42 (118)
Turkmenistan	3.3 (96)	3.20 (109)	3.39 (115)	3.55 (115)
Ukraine	5.9 (44)	6.96 (32)	6.93 (35)	6.55 (37)
Uzbekistan	3.4 (93)	3.46 (103)	3.68 (111)	3.25 (120)
Czech Rep.	9.6 (2)	9.23 (3)	9.56 (1)	9.65 (1)
Poland	9.4 (7)	8.90 (9)	8.76 (11)	8.86 (10)
Romania	7.3 (21)	7.89 (19)	8.31 (17)	8.23 (16)

Table 4.2: BTI Management Index, 2003–2008 (Index Values and Rank)

	<b>2003</b> Index values (rank)	<b>2006</b> Index values (rank)	<b>2008</b> Index values (rank)	<b>2010</b> Index values (rank)
Armenia	5.1 (39)	5.08 (56)	5.14 (56)	4.36 (85)
<i>Azerbaijan</i>	<b>3.2 (79)</b>	<b>3.50 (95)</b>	<b>3.83 (99)</b>	<b>4.05 (95)</b>
Belarus	2.2 (98)	2.74 (107)	2.89 (110)	3.26 (110)
Georgia	2.3 (95)	5.91 (35)	6.36 (23)	5.68 (42)
<i>Kazakhstan</i>	<b>3.3 (76)</b>	<b>4.13 (82)</b>	<b>4.69 (76)</b>	<b>4.70 (72)</b>
Kyrgyzstan	3.4 (75)	4.17 (80)	4.67 (77)	4.17 (91)
Russia	5.5 (31)	3.84 (87)	3.84 (98)	3.41 (107)
Tajikistan	3.3 (76)	4.48 (70)	4.46 (88)	2.95 (115)
Turkmenistan	1.0 (110)	1.83 (116)	2.00 (121)	2.28 (119)
Ukraine	5.1 (39)	4.69 (65)	5.21 (55)	4.92 (66)
Uzbekistan	1.5 (104)	2.17 (112)	2.24 (117)	2.10 (124)
Czech Rep.	6.7 (12)	6.95 (10)	6.62 (20)	6.95 (9)
Poland	6.6 (14)	6.36 (23)	5.27 (53)	6.52 (19)
Romania	5.7 (25)	6.33 (24)	6.49 (22)	6.27 (25)





#### 4.4. Freedom House: Freedom of the Press

Prepared by: Freedom House (Washington, DC, USA)

Established: 1980

Frequency: Annual

The data refer to the respective previous year.

Covered countries: at present 195

URL: <http://freedomhouse.org>

Countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions divided into three subcategories. The degree to which each country permits the free flow of news and information determines the classification of its media as 'Free,' 'Partly Free,' or 'Not Free.' Countries scoring 0 to 30 are regarded as having 'Free' media; 31 to 60, 'Partly Free' media; and 61 to 100, 'Not Free' media.

Table 4.5: Freedom of the Press, 1994–2009

	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09
Armenia	52	57	56	56	56	56	57	59	60	65	64	64	64	64	66	68
Azerbaijan	70	69	69	74	74	73	70	76	77	73	71	74	73	75	77	78
Belarus	66	67	70	85	90	80	80	80	82	82	84	86	88	89	91	91
Georgia	73	70	68	55	56	57	47	53	53	54	54	56	57	57	60	60
Kazakhstan	60	61	62	64	66	68	68	70	69	73	74	75	75	76	78	78
Kyrgyzstan	49	52	60	61	64	64	61	61	68	71	71	71	64	67	70	72
Russia	40	55	58	53	53	59	60	60	60	66	67	68	72	75	78	80
Tajikistan	93	93	96	95	94	94	94	79	80	76	73	74	76	76	77	78
Turkmenistan	89	84	84	84	84	85	86	89	91	92	95	96	96	96	96	96
Ukraine	44	42	39	49	49	50	60	60	60	67	68	59	53	53	53	55
Uzbekistan	85	79	75	76	76	79	83	84	84	86	84	85	90	91	92	93
Czech Rep.	20	21	19	19	19	20	20	24	25	23	23	22	20	18	18	18
Poland	30	29	21	27	25	25	19	19	18	18	19	20	21	22	24	24
Romania	55	50	49	47	39	44	44	44	35	38	47	47	44	42	44	44

#### 4.5. Freedom House: Nations in Transit

Prepared by: Freedom House (Washington, DC, USA)

Established: 1997

Frequency: Annual

The data refer to the respective previous year.

Covered countries: at present 29

URL: <http://freedomhouse.org>

*Nations in Transit* measures progress and setbacks in democratization in countries and territories from Central Europe to the Eurasian region of the Former Soviet Union. The rating covers seven categories: electoral process; civil society; independent media; national democratic governance; local democratic governance; judicial framework and independence; and corruption. The ratings are based on a scale of 1 to 7, with 1 representing the highest and 7 the lowest level of democratic progress.

Table 4.6: Nations in Transit: Electoral Process, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	5.25	5.50	5.50	5.50	5.75	5.75	5.75	5.75	5.50	5.75
<i>Azerbaijan</i>	<b>5.50</b>	<b>5.75</b>	<b>5.75</b>	<b>5.75</b>	<b>6.00</b>	<b>6.25</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.75</b>
Belarus	6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75
Georgia	4.00	4.50	5.00	5.25	5.25	4.75	4.75	4.50	4.75	5.25
<i>Kazakhstan</i>	<b>6.00</b>	<b>6.25</b>	<b>6.25</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.75</b>	<b>6.75</b>
Kyrgyzstan	6.00	6.25	6.25	6.50	6.50	6.50	6.50	5.75	6.00	6.00
Russia	4.00	4.25	4.50	4.75	5.50	6.00	6.25	6.50	6.75	6.75
Tajikistan	5.50	5.25	5.25	5.25	5.75	6.00	6.25	6.50	6.50	6.50
Turkmenistan	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Ukraine	3.50	4.00	4.50	4.00	4.25	3.50	3.25	3.00	3.00	3.50
Uzbekistan	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	7.00
Czech Rep.	1.75	1.75	2.00	2.00	2.00	2.00	2.00	1.75	1.75	1.50
Poland	1.25	1.25	1.25	1.50	1.50	1.75	1.75	2.00	2.00	2.00
Romania	2.75	3.00	3.00	2.75	2.75	2.75	2.75	2.75	2.75	2.50

Table 4.7: Nations in Transit: Civil Society, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.75
<i>Azerbaijan</i>	<b>4.75</b>	<b>4.50</b>	<b>4.50</b>	<b>4.25</b>	<b>4.50</b>	<b>4.75</b>	<b>5.00</b>	<b>5.25</b>	<b>5.25</b>	<b>5.50</b>
Belarus	6.00	6.50	6.25	6.50	6.75	6.75	6.75	6.50	6.50	6.25
Georgia	3.75	4.00	4.00	4.00	3.50	3.50	3.50	3.50	3.50	3.75
<i>Kazakhstan</i>	<b>5.00</b>	<b>5.00</b>	<b>5.50</b>	<b>5.50</b>	<b>5.50</b>	<b>5.50</b>	<b>5.75</b>	<b>5.75</b>	<b>5.50</b>	<b>5.50</b>
Kyrgyzstan	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.75
Russia	3.75	4.00	4.00	4.25	4.50	4.75	5.00	5.25	5.50	5.75
Tajikistan	5.25	5.00	5.00	5.00	5.00	4.75	5.00	5.00	5.50	5.75
Turkmenistan	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Ukraine	4.00	3.75	3.75	3.50	3.75	3.00	2.75	2.75	2.75	2.75
Uzbekistan	6.50	6.50	6.75	6.50	6.50	6.50	7.00	7.00	7.00	7.00
Czech Rep.	1.50	1.50	1.75	1.50	1.50	1.50	1.50	1.50	1.25	1.50
Poland	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.50	1.25	1.50
Romania	3.00	3.00	3.00	2.75	2.50	2.25	2.25	2.25	2.25	2.50

Table 4.8: Nations in Transit: Independent Media, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	4.75	4.75	4.75	5.00	5.25	5.50	5.50	5.75	5.75	6.00
Azerbaijan	5.50	5.75	5.50	5.50	5.75	6.00	6.00	6.25	6.25	6.75
Belarus	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Georgia	3.75	3.50	3.75	4.00	4.00	4.25	4.25	4.00	4.25	4.25
Kazakhstan	5.50	6.00	6.00	6.25	6.50	6.50	6.75	6.75	6.75	6.50
Kyrgyzstan	5.00	5.00	5.75	6.00	6.00	5.75	5.75	5.75	6.00	6.25
Russia	4.75	5.25	5.50	5.50	5.75	6.00	6.00	6.25	6.25	6.25
Tajikistan	5.75	5.50	5.75	5.75	5.75	6.00	6.25	6.25	6.00	6.00
Turkmenistan	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Ukraine	5.00	5.25	5.50	5.50	5.50	4.75	3.75	3.75	3.50	3.50
Uzbekistan	6.50	6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00
Czech Rep.	1.75	2.00	2.50	2.25	2.25	2.00	2.00	2.25	2.25	2.25
Poland	1.50	1.50	1.50	1.75	1.75	1.50	1.75	2.25	2.25	2.00
Romania	3.50	3.50	3.50	3.75	3.75	4.00	4.00	3.75	3.75	3.75

Table 4.9: Nations in Transit: National Democratic Government, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	4.50	4.50	4.50	4.75	4.75	5.00	5.00	5.25	5.25	5.75
<b>Azerbaijan</b>	<b>6.25</b>	<b>6.25</b>	<b>6.00</b>	<b>5.75</b>	<b>5.75</b>	<b>6.00</b>	<b>6.00</b>	<b>6.00</b>	<b>6.00</b>	<b>6.25</b>
Belarus	6.25	6.25	6.50	6.50	6.50	6.75	7.00	7.00	7.00	6.75
Georgia	4.50	4.75	5.00	5.50	5.75	5.50	5.50	5.50	5.75	6.00
<b>Kazakhstan</b>	<b>5.00</b>	<b>5.00</b>	<b>5.75</b>	<b>6.25</b>	<b>6.25</b>	<b>6.50</b>	<b>6.75</b>	<b>6.75</b>	<b>6.75</b>	<b>6.75</b>
Kyrgyzstan	5.00	5.25	5.50	6.00	6.00	6.00	6.00	6.00	6.25	6.50
Russia	4.50	5.00	5.25	5.00	5.25	5.75	6.00	6.00	6.25	6.50
Tajikistan	6.25	6.00	6.00	6.00	5.75	6.00	6.25	6.25	6.25	6.25
Turkmenistan	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00	7.00	7.00
Ukraine	4.75	4.75	5.00	5.00	5.25	5.00	4.50	4.75	4.75	5.00
Uzbekistan	6.25	6.00	6.00	6.25	6.25	6.50	7.00	7.00	7.00	7.00
Czech Rep.	2.00	2.00	2.25	2.25	2.25	2.50	2.50	3.00	2.75	2.75
Poland	1.75	1.75	2.00	2.00	2.00	2.50	2.75	3.25	3.50	3.25
Romania	3.50	3.75	3.75	3.75	3.75	3.50	3.50	3.50	3.75	3.75

Note: Starting with the 2005 edition, Freedom House introduced separate ratings for national democratic governance and local democratic governance. Previous editions included only one governance category.

Table 4.10: Nations in Transit: Local Democratic Government, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	4.50	4.50	4.50	4.75	4.75	5.50	5.50	5.50	5.50	5.50
<i>Azerbaijan</i>	<b>6.25</b>	<b>6.25</b>	<b>6.00</b>	<b>5.75</b>	<b>5.75</b>	<b>6.00</b>	<b>6.00</b>	<b>6.00</b>	<b>6.00</b>	<b>6.25</b>
Belarus	6.25	6.25	6.50	6.50	6.50	6.50	6.50	6.50	6.75	6.75
Georgia	4.50	4.75	5.00	5.50	5.75	6.00	5.75	5.50	5.50	5.50
<i>Kazakhstan</i>	<b>5.00</b>	<b>5.00</b>	<b>5.75</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>
Kyrgyzstan	5.00	5.25	5.50	6.00	6.00	5.75	6.25	6.25	6.50	6.50
Russia	4.50	5.00	5.25	5.00	5.25	5.75	5.75	5.75	5.75	5.75
Tajikistan	6.25	6.00	6.00	6.00	5.75	5.75	5.75	5.75	6.00	6.00
Turkmenistan	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75	6.75
Ukraine	4.75	4.75	5.00	5.00	5.25	5.25	5.25	5.25	5.25	5.25
Uzbekistan	6.25	6.00	6.00	6.25	6.25	6.25	6.75	6.75	6.75	6.75
Czech Rep.	2.00	2.00	2.25	2.25	2.25	2.00	2.00	1.75	1.75	1.75
Poland	1.75	1.75	2.00	2.00	2.00	2.00	2.00	2.25	2.25	2.00
Romania	3.50	3.75	3.75	3.75	3.75	3.00	3.00	3.00	3.00	3.00

Note: Starting with the 2005 edition, Freedom House introduced separate ratings for national democratic governance and local democratic governance. Previous editions included only one governance category.

Table 4.11: Nations in Transit: Judicial Framework and Independence, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	5.00	5.00	5.00	5.00	5.00	5.25	5.00	5.00	5.25	5.50
<i>Azerbaijan</i>	<b>5.50</b>	<b>5.25</b>	<b>5.25</b>	<b>5.25</b>	<b>5.50</b>	<b>5.75</b>	<b>5.75</b>	<b>5.75</b>	<b>5.75</b>	<b>5.75</b>
Belarus	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Georgia	4.00	4.00	4.25	4.50	4.50	5.00	5.75	4.75	4.75	4.75
<i>Kazakhstan</i>	<b>5.50</b>	<b>5.75</b>	<b>6.00</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.00</b>
Kyrgyzstan	5.00	5.25	5.25	5.50	5.50	5.50	5.50	5.50	6.00	6.00
Russia	4.25	4.50	4.75	4.50	4.75	5.25	5.25	5.25	5.25	5.50
Tajikistan	5.75	5.75	5.75	5.75	5.75	5.75	5.75	5.75	6.00	6.25
Turkmenistan	6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Ukraine	4.50	4.50	4.75	4.50	4.75	4.25	4.25	4.50	4.75	5.00
Uzbekistan	6.50	6.50	6.50	6.50	6.50	6.25	6.75	6.75	6.75	7.00
Czech Rep.	2.25	2.50	2.50	2.50	2.50	2.50	2.25	2.50	2.00	2.25
Poland	1.50	1.50	1.50	1.50	1.50	2.00	2.25	2.25	2.50	2.25
Romania	4.25	4.25	4.25	4.25	4.25	4.00	4.00	3.75	4.00	4.00

Table 4.12: Nations in Transit: Corruption, 1999–2009

	1999/ 2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Armenia	5.75	5.75	5.75	5.75	5.75	5.75	5.75	5.75	5.75	5.50
<b>Azerbaijan</b>	<b>6.00</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.26</b>	<b>6.50</b>
Belarus	5.25	5.25	5.25	5.50	5.75	6.00	6.25	6.25	6.25	6.00
Georgia	5.00	5.25	5.50	5.75	6.00	5.75	4.75	5.00	5.00	5.00
<b>Kazakhstan</b>	<b>6.00</b>	<b>6.25</b>	<b>6.25</b>	<b>6.25</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>	<b>6.50</b>
Kyrgyzstan	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.25	6.25
Russia	6.25	6.25	6.00	5.75	5.75	5.75	6.00	6.00	6.00	6.25
Tajikistan	6.00	6.00	6.00	6.00	6.25	6.25	6.25	6.25	6.25	6.25
Turkmenistan	6.00	6.25	6.25	6.25	6.25	6.50	6.75	6.75	6.75	6.75
Ukraine	6.00	6.00	6.00	5.75	5.75	5.75	5.75	5.75	5.75	5.75
Uzbekistan	6.00	6.00	6.00	6.00	6.00	6.00	6.50	6.50	6.50	6.50
Czech Rep.	3.25	3.75	3.75	3.50	3.50	3.50	3.50	3.50	3.25	3.25
Poland	2.25	2.25	2.25	2.50	2.50	3.00	3.25	3.00	3.00	2.75
Romania	4.25	4.50	4.75	4.50	4.50	4.25	4.25	4.00	4.00	4.00

## 4.6. Global Integrity Report

Prepared by: Center for Public Integrity (Washington, DC, USA)

Established: 2003

Frequency: Non-periodic (2003, 2006, 2007, 2008)

The data refer to the respective year under review.

Covered countries: 25 (2004), 43 (2006), 55 (2007), 58 (2008)

URL: <http://www.globalintegrity.org>

The Global Integrity Index assesses the existence and effectiveness of anti-corruption mechanisms that promote public integrity. More than 290 discrete Integrity Indicators generate the Integrity Index and are organized into six key categories (Civil Society, Public Information and Media; Elections; Government Accountability; Administration and Civil Service; Oversight and Regulatory Mechanisms; Anti-Corruption and Rule of Law) and twenty three sub-categories. Prepared by a lead researcher in the country and then blindly reviewed by additional in-country and external experts, the Integrity Indicators not only assess the existence of laws, regulations, and institutions designed to curb corruption but also their implementation, as well as the access that average citizens have to those mechanisms.

There are two general types of indicators: 'in law' and 'in practice.' All indicators, regardless of type, are scored on the same ordinal scale of 0 to 100 with zero being the worst possible score and 100 perfect. 'In law' indicators provide an objective assessment of whether certain legal codes, fundamental rights, government institutions, and regulations exist. These 'de jure' indicators are scored with a simple 'yes' or 'no' with 'yes' receiving a 100 score and 'no' receiving a zero. 'In practice' indicators address 'de facto' issues such as implementation, effectiveness enforcement, and citizen access. As these usually require a more informed and subjective assessment, these 'in practice' indicators are scored along an ordinal scale of zero to 100 with possible scores at 0, 25, 50, 75 and 100. The Global Integrity Index groups countries into five performance 'tiers' generated from the scores assigned to the individual integrity indicators: very strong (90+), strong (80+), moderate (70+), weak (60+), very weak (60-).

Table 4.13: Global Integrity Rating, 2007–2009

	2007	2008	2009
Armenia	58	–	–
<i>Azerbaijan</i>	<b>65</b>	<b>61</b>	<b>64</b>
Belarus	–	66	–
Georgia	63	59	73
<i>Kazakhstan</i>	<b>73</b>	<b>76</b>	–
Kyrgyzstan	64	64	–
Russia	64	69	–
Tajikistan	53	–	–
Ukraine	68	–	58
Romania	81	80	–

## 4.7. Press Freedom Index

Prepared by: Reporters without Borders (Paris, France)

Established: 2002

Frequency: Annual

September to September in the year of publication

Covered countries: at present 173

URL: <http://www.rsf.org>

The index measures the state of press freedom in the world. It reflects the degree of freedom journalists and news organizations enjoy in each country, and the efforts made by the state to respect and ensure respect for this freedom. Each one has a ranking and a score which together sum up the state of press freedom there. Reporters without Borders compiled a questionnaire with 50 criteria for assessing the state of press freedom in each country. It includes every kind of violation directly affecting journalists (such as murders, imprisonment, physical attacks and threats) and news media (censorship, confiscation of issues, searches and harassment). The questionnaire was sent to partner organizations (14 freedom of expression groups in five continents) and 130 correspondents around the world, as well as to journalists, researchers, jurists and human rights activists. A scale devised by the organization was then used to give a country-score to each questionnaire.

Table 4.14: Press Freedom Index, 2002–2008

	2002	2003	2004	2005	2006	2007	2008
Armenia	–	17.33	27.50	25.17	21.00	20.83	31.25
<b>Azerbaijan</b>	<b>48.00</b>	<b>49.50</b>	<b>51.38</b>	<b>48.67</b>	<b>52.50</b>	<b>56.90</b>	<b>47.50</b>
Belarus	97.00	91.25	92.33	83.00	94.00	89.00	85.50
Georgia	42.00	42.50	44.17	36.17	41.00	41.63	35.33
<b>Kazakhstan</b>	<b>28.25</b>	<b>34.50</b>	<b>27.75</b>	<b>33.00</b>	<b>30.00</b>	<b>37.00</b>	<b>25.50</b>
Kyrgyzstan	31.75	32.00	35.25	32.00	34.00	33.60	27.00
Russia	34.50	34.50	49.67	51.00	47.00	55.40	53.63
Tajikistan	–	25.17	23.50	26.00	25.50	23.63	22.75
Turkmenistan	91.50	82.83	99.83	93.50	98.50	103.75	95.50
Ukraine	40.00	40.00	51.00	32.50	26.50	26.75	19.25
Uzbekistan	52.17	52.00	54.10	61.33	57.00	63.63	58.33
Czech Republic	1.50	1.33	2.00	4.00	5.50	5.75	4.50
Poland	7.75	6.17	6.83	12.50	14.00	18.50	9.00
Romania	13.25	11.50	17.83	16.17	14.00	12.75	9.00

## 4.8. Corruption Perception Index

Prepared by: Transparency International (Berlin, Germany)

Established: 1995

Frequency: Annual

Covered countries: at present 180

URL: [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi)

The Corruption Perceptions Index is a composite index that draws on multiple expert opinion surveys that poll perceptions of public sector corruption in countries around the world. It scores countries on a scale from zero to ten, with zero indicating high levels of perceived corruption and ten indicating low levels of perceived corruption.

Table 4.15: Corruption Perception Index, 1998–2008

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Armenia	2.5	2.5	–	–	3.0	3.1	2.9	2.9	3.0	2.9
<b>Azerbaijan</b>	<b>1.7</b>	<b>1.5</b>	<b>2.0</b>	<b>2.0</b>	<b>1.8</b>	<b>1.9</b>	<b>2.2</b>	<b>2.4</b>	<b>2.1</b>	<b>1.9</b>
Belarus	3.4	4.1	–	4.8	4.2	3.3	2.6	2.1	2.1	2.0
Georgia	2.3	–	–	2.4	1.8	2.0	2.3	2.8	3.4	3.9
<b>Kazakhstan</b>	<b>2.3</b>	<b>3.0</b>	<b>2.7</b>	<b>2.4</b>	<b>2.4</b>	<b>2.2</b>	<b>2.6</b>	<b>2.6</b>	<b>2.1</b>	<b>2.2</b>
Kyrgyzstan	2.2	–	–	–	2.1	2.2	2.3	2.2	2.1	1.8
Russia	2.4	2.1	2.3	2.7	2.7	2.8	2.4	2.5	2.3	2.1
Tajikistan	–	–	–	–	1.8	2.0	2.1	2.2	2.1	2.0
Turkmenistan	–	–	–	–	–	2.0	1.8	2.2	2.0	1.8
Ukraine	2.6	1.5	2.1	2.4	2.3	2.2	2.6	2.8	2.7	2.5
Uzbekistan	1.8	2.4	2.7	2.9	2.4	2.3	2.2	2.1	1.7	1.8
Czech Republic	4.6	4.3	3.9	3.7	3.9	4.2	4.3	4.8	5.2	5.2
Poland	4.2	4.1	4.1	4.0	3.6	3.5	3.4	3.7	4.2	4.6
Romania	3.3	2.9	2.8	2.6	2.8	2.9	3.0	3.1	3.7	3.8

## 4.9. Worldwide Governance Indicators

Prepared by: World Bank (Washington, DC, USA)

Established: 1996

Frequency: Annual, between 1996 and 2002 every two years

The data refer to the corresponding year of evaluation and are published one year later.

Covered countries: at present 213

URL: <http://info.worldbank.org/governance/wgi/index.asp>

This index measures six dimensions of governance. The indicators are based on several hundred individual variables measuring perceptions of governance, drawn from 31 separate data sources constructed by 25 different organizations. The relevant index value shows the average of all relevant sources according to their reliability. Virtually all scores lie between -2.5 and 2.5, with higher scores corresponding to better outcomes.

Table 4.16: Worldwide Governance Indicators: Political Stability, 1996–2008

	1996	1998	2000	2002	2003	2004	2005	2006	2007	2008
Armenia	0.26	-0.87	-1.23	-0.81	-0.31	-0.56	-0.21	-0.28	-0.08	0.01
<i>Azerbaijan</i>	<b>0.64</b>	<b>0.71</b>	<b>0.91</b>	<b>1.27</b>	<b>1.40</b>	<b>1.37</b>	<b>1.25</b>	<b>1.01</b>	<b>0.69</b>	<b>-0.48</b>
Belarus	-0.11	-0.11	-0.14	-0.02	0.16	-0.21	0.10	0.14	0.20	-0.45
Georgia	-0.93	-1.59	-1.46	-1.47	-1.61	-1.03	-0.69	-0.90	-0.70	0.56
<i>Kazakhstan</i>	<b>-0.31</b>	<b>0.09</b>	<b>0.05</b>	<b>0.09</b>	<b>0.08</b>	<b>-0.15</b>	<b>-0.01</b>	<b>0.13</b>	<b>0.37</b>	<b>0.51</b>
Kyrgyzstan	0.57	0.01	-0.48	-1.17	-1.25	-1.16	-1.14	-1.28	-1.11	-0.68
Russia	-1.02	-0.81	-0.69	-0.60	-0.85	-1.04	-0.98	-0.80	-0.75	-0.62
Tajikistan	-2.59	-2.26	-1.86	-1.41	-1.41	-1.41	-1.33	-1.35	-0.87	-0.74
Turkmenistan	0.21	0.12	-0.01	-0.41	-0.60	-0.68	-0.23	-0.30	-0.08	0.93
Ukraine	-0.23	-0.22	-0.37	-0.20	-0.31	-0.39	-0.37	-0.06	0.16	0.23
Uzbekistan	-0.19	-0.48	-1.30	-1.30	-1.50	-1.59	-1.95	-1.70	-1.42	-0.91
Czech Rep.	0.98	0.78	0.60	0.97	0.87	0.67	0.75	0.85	0.83	1.08
Poland	0.55	0.66	0.41	0.66	0.64	0.20	0.32	0.31	0.58	0.79
Romania	0.39	0.19	0.02	0.32	0.26	0.07	0.10	0.15	0.19	0.30



Table 4.17: Worldwide Governance Indicators: Government Efficiency, 1996–2008

	1996	1998	2000	2002	2003	2004	2005	2006	2007	2008
Armenia	-0.62	-0.46	-0.60	-0.21	-0.22	-0.13	-0.05	-0.22	-0.31	-0.07
<i>Azerbaijan</i>	<b>-0.91</b>	<b>-0.89</b>	<b>-0.84</b>	<b>-0.86</b>	<b>-0.76</b>	<b>-0.88</b>	<b>-0.66</b>	<b>-0.69</b>	<b>-0.65</b>	<b>-0.64</b>
Belarus	-1.42	-0.51	-0.81	-1.08	-1.07	-1.25	-1.16	-1.22	-1.26	-1.11
Georgia	-0.31	-0.64	-0.62	-0.77	-0.65	-0.40	-0.39	-0.23	-0.13	1.74
Kazakhstan	-1.00	-0.80	-0.64	-0.89	-0.64	-0.67	-0.57	-0.52	-0.58	-0.47
<i>Kyrgyzstan</i>	<b>-0.49</b>	<b>-0.30</b>	<b>-0.51</b>	<b>-0.64</b>	<b>-0.65</b>	<b>-0.71</b>	<b>-0.87</b>	<b>-0.77</b>	<b>-0.75</b>	<b>-0.70</b>
Russia	-0.62	-0.42	-0.60	-0.32	-0.23	-0.31	-0.38	-0.47	-0.40	-0.32
Tajikistan	-1.62	-1.51	-1.25	-1.16	-1.15	-1.12	1.07	-1.02	-0.97	-0.88
Turkmenistan	-1.51	-1.23	-1.29	-1.52	-1.38	-1.51	-1.57	-1.44	-1.37	1.07
Ukraine	-0.75	-0.74	-0.65	-0.71	-0.53	-0.68	-0.40	-0.50	-0.60	-1.16
Uzbekistan	-0.99	-0.84	-0.91	-1.10	-1.04	-1.09	-1.20	-1.08	-0.74	-0.68
Czech Rep.	0.81	0.71	0.76	0.91	0.77	0.75	1.01	1.07	0.99	1.65
Poland	0.77	0.69	0.62	0.57	0.54	0.44	0.54	0.49	0.38	0.48
Romania	-0.69	-0.30	-0.38	-0.13	-0.14	-0.14	-0.08	-0.07	-0.09	-0.14

Table 4.18: Worldwide Governance Indicators: Rule of Law, 1996–2008

	1996	1998	2000	2002	2003	2004	2005	2006	2007	2008
Armenia	-0.45	-0.41	-0.50	-0.48	-0.46	-0.58	-0.47	-0.54	-0.51	-0.36
<i>Azerbaijan</i>	<b>-0.94</b>	<b>-1.02</b>	<b>-1.06</b>	<b>-0.88</b>	<b>-0.84</b>	<b>-0.84</b>	<b>-0.80</b>	<b>-0.88</b>	<b>-0.83</b>	<b>-0.76</b>
Belarus	-0.93	-0.73	-1.04	-1.25	-1.30	-1.24	-1.06	-1.22	-1.09	-1.00
Georgia	-0.84	-1.18	-1.08	-1.24	-1.20	-0.77	-0.75	-0.56	-0.44	1.68
<i>Kazakhstan</i>	<b>-0.83</b>	<b>-0.90</b>	<b>-0.90</b>	<b>-1.00</b>	<b>-1.01</b>	<b>-1.02</b>	<b>-0.80</b>	<b>-0.91</b>	<b>-0.83</b>	<b>-0.78</b>
Kyrgyzstan	-0.64	-0.71	-0.87	-0.77	-0.82	-0.83	-1.08	-1.23	-1.19	-1.26
Russia	-0.73	-0.84	-1.05	-0.89	-0.92	-0.84	-0.88	-0.96	-0.97	-0.91
Tajikistan	-1.55	-1.75	-1.53	-1.29	-1.07	-1.14	-0.98	-1.06	-1.13	-1.12
Turkmenistan	-1.26	-1.15	-1.13	-1.20	-1.31	-1.47	-1.45	-1.43	-1.33	0.85
Ukraine	-0.54	-0.96	-0.97	-0.84	-0.85	-0.71	-0.57	-0.77	-0.70	-1.30
Uzbekistan	-0.99	-1.02	-1.06	-1.41	-1.30	-1.36	-1.41	-1.38	-1.06	-1.18
Czech Rep.	0.87	0.82	0.69	0.74	0.80	0.70	0.74	0.73	0.77	1.72
Poland	0.64	0.69	0.60	0.56	0.51	0.40	0.33	0.25	0.28	0.49
Romania	-0.15	-0.11	-0.19	-0.24	-0.12	-0.17	-0.23	-0.21	-0.17	-0.05

Table 4.19: Worldwide Governance Indicators: Corruption Control, 1996–2008

	1996	1998	2000	2002	2003	2004	2005	2006	2007	2008
Armenia	-0.70	-0.78	-0.71	-0.69	-0.62	-0.69	-0.62	-0.57	-0.68	-0.54
<i>Azerbaijan</i>	<b>-1.04</b>	<b>-1.13</b>	<b>-1.12</b>	<b>-1.03</b>	<b>-1.02</b>	<b>-1.14</b>	<b>-1.01</b>	<b>-0.98</b>	<b>-1.04</b>	<b>-1.00</b>
Belarus	-1.00	-0.72	-0.57	-0.89	-0.95	-1.01	-0.89	-0.77	-0.88	-0.79
Georgia	-1.12	-0.84	-0.90	-1.07	-0.93	-0.63	-0.43	-0.26	-0.38	1.77
Kazakhstan	-0.92	-0.90	-0.97	-1.08	-1.10	-1.14	-0.93	-0.88	-0.91	-0.95
<i>Kyrgyzstan</i>	<b>-0.85</b>	<b>-0.71</b>	<b>-0.87</b>	<b>-0.85</b>	<b>-0.85</b>	<b>-1.01</b>	<b>-1.08</b>	<b>-1.10</b>	<b>-1.08</b>	<b>-1.06</b>
Russia	-0.84	-0.88	-0.98	-0.91	-0.78	-0.77	-0.77	-0.79	-0.92	-0.98
Tajikistan	-1.75	-1.34	-1.20	-1.03	-1.03	-1.17	-1.09	-0.93	-0.86	-0.99
Turkmenistan	-1.54	-1.06	-1.03	-1.19	-1.13	-1.36	-1.31	-1.27	-1.18	0.37
Ukraine	0.58	0.45	0.29	0.35	0.40	0.36	0.44	0.32	0.26	-1.34
Uzbekistan	-1.05	-1.02	-0.93	-1.02	-1.07	-1.15	-1.07	-0.99	-0.95	-1.08
Czech Rep.	0.58	0.45	0.29	0.35	0.40	0.36	0.44	0.32	0.26	1.77
Poland	0.39	0.60	0.51	0.34	0.40	0.20	0.19	0.19	0.14	0.38
Romania	-0.24	-0.35	-0.30	-0.35	-0.30	-0.25	-0.22	-0.15	-0.19	-0.06

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