

**Alternative Report submitted to the  
UN Committee on the Economic, Social and Cultural Rights for  
the consideration of the third Report of Azerbaijan  
during the 50<sup>th</sup> session.**



**Jointly Submitted by:**

Unrepresented Nations and Peoples Organization

**In collaboration with:**

The Federal Lezghin National and Cultural Autonomy

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## Section A: Introduction to the Report

This alternative report was submitted by the Unrepresented Nations and Peoples Organization (UNPO) in collaboration with the Federal Lezghin National and Cultural Autonomy (henceforth "FLNCA") on the occasion of the 50th Session of the United Nations Committee on Economic, Social and Cultural Rights (henceforth, "the Committee").

The framework of this report will comment upon relevant articles of the International Covenant on Economic, Social and Cultural Rights sequentially. The final section of the report raises questions that should be posed and recommendations regarding concerns which are intended to inform the discussions taking place within the International Covenant on Economic, Social and Cultural Rights (henceforth, "ICESCR" or "the Covenant") and between the Committee and the Azerbaijani delegation at the 50th Session.

This alternative report will focus on the situation of the Lezghin population in Azerbaijan and the Azerbaijani government's compliance with and implementation of the provisions in the International Covenant as it affects this particular group. The major issue dealt with in this report is the continued existence of Azerbaijani government's attempts to assimilate Lezghin people through an artificial underestimation of their population and by tampering their cultural activities, opposing their right to education in their mother tongue, poor economic situation in Lezghin-populated areas and opposition to Sunni minorities in general.

**The Hague, March 2013**

## Section B: Introduction to the Lezghin

The Lezghins formed a separate Northeast Caucasian nation with a language of their own in ancient times. The Lezghins speak Lezghin, which belongs to the Lezghin sub-group of the Nakh-Daghestani group of the North Caucasian language family. The ancestors of the modern Lezghins acquired their statehood long before the Common Era. They are related to smaller groups including Aguls, Rutuls and Tabasarans. It has been speculated by many academics that they might be descended from Caucasian Albanians, who had a distinct Zoroastrian and later Christian state in Caucasia from 4<sup>th</sup> century BCE up until 8<sup>th</sup> century CE. Later, the Lezghins and related Lezghin nations have lost and restored their statehood and political independence several times. In its present form the Lezghin nation has been identified as a separate nation in the Soviet period of its history.

The ethnic territory of the Lezghin people is now divided into two parts between two countries. The Northern part is located in the Republic of Dagestan - one of the regions of the Russian Federation - while the Southern part is in the Republic of Azerbaijan. In the Republic of Dagestan the Lezghins are one of the 14 "titular" nations. This separation has a heavy impact on the Lezghin ethnicity.. The State borders broke the family, social, domestic, economic and cultural ties within the unified Lezghin nation. Without proper determination of their status, the preservation of the identity of the Lezghins is under great threat.

In general, the Lezghins enjoyed better rights in Dagestan under the jurisdiction of the Russian Federation than in Azerbaijan, where they were subjected to assimilation policies. The Lezghins have traditionally suffered from unemployment and a shortage of land. Resentments were fuelled in 1992 by the resettlement of 105,000 Azeri refugees from the Karabakh conflict on Lezghin lands and by the forced conscription of the Lezghins to fight in the conflict. This contributed to increased tensions between the Lezghin community and the Azeri government over issues of land, employment, language and the absence of internal autonomy. A major consequence of the outbreak of the war in Chechnya in 1994 was the closure of the border between Russia and Azerbaijan. As a result, the Lezghins were for the first time in their history separated by an international border restricting their movement. The number of Lezgins in Russian Federation approximates 475 000 and at least 180 000 in the Republic of Azerbaijan.

The main problem of the Lezghins is their lack of status, preventing them from securing their rights as a distinct historical community and nation in the territory of their traditional residence. As a result, the ethnicity of Lezghins is being blurred and the socio-economic situation is deteriorating.

## Section C: Compliance with ICESCR

### Article 1 – Right to Self-determination

*Article 1.1 states that “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”*

The Azerbaijani report to the ICESCR Committee carefully avoids the issue of the Lezghin and other minorities, referring very generally to their enjoyment of cultural rights guaranteed by the Constitution of the State. It even states that "the right of peoples to self-determination is of exceptional importance for the people of Azerbaijan, which, through sustained efforts to give effect to that right, has lawfully re-established its independence."<sup>1</sup> However, there are numerous cases of forced assimilation and discrimination committed by the Azerbaijani government. For Lezghin people in Azerbaijan there is a real threat to be forcefully assimilated and lose their language, culture and ethno-cultural unity.

The first and a very profound form of ongoing assimilation is the artificial underestimation of the Lezghin population. According to the official statistics of Azerbaijan, during the last 10 years the number of Lezghins has increased only by 2,000 people while the number of Azerbaijanis grew by about one million, i.e. that population growth of Lezghins made 1,3 percent while that of Azerbaijanis was 10 times more and made 14,3 percent. These figures give all reasons to believe that these low demographic figures can be explained by political rather than social factors.

According to the UNHCR, the Lezghins make up for 75 percent of the Kuzar and Khachmaz regions and 15 percent of the city population in Baku. Official statistics of the Azerbaijani government state that the Lezghin population numbers 178,000 people and makes up for only 2 percent of the country's population. This figure, however, could be several times higher. Arif Yunusov<sup>2</sup> argues that the figures are closer to 250,000-260,000 and in the 1993 Report of the US Ministry of Justice entitled “Azerbaijan: the status of Armenians, Russians, Jews and other ethnic minorities”, the number of Lezghins was estimated approximately to 800, 000 or more.<sup>3</sup>

The issue of the right to self-determination of the political status is also a source of tensions, as the in the aftermath of the collapse of the Soviet Union the Lezghins were divided by international borders without having been consulted on the matter, feeding ethnic discontent in North Caucasus. Leaders of national groups in Dagestan have collaborated to develop common approaches and represent the interests of divided people more successfully. In June 2011 a special hearing on divided nations of the North Caucasus was held in the Public Chamber of Russia. Most recently, the Lezghins (386,000) were divided by the September 2011 Russia-Azerbaijan border agreement. They were excluded from the negotiations, which consequently did not reflect their viewpoints and concerns.

Two Lezgin villages (Khraakh-Uba and Uryan-Uba), once part of Dagestan but 40-50km inside Azerbaijan, were placed under Baku's authority. There was no compensation for lost property or

<sup>1</sup> <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/429/00/PDF/G1142900.pdf?OpenElement>  
Committee on Economic, Social and Cultural Rights, 49<sup>th</sup> session

<sup>2</sup> Hema Kotecha [Islamic and Ethnic Identities in Azerbaijan: Emerging trends and tensions](#) (PDF). OSCE Office in Baku.

<sup>3</sup> Report of the US Ministry of Justice for 1993 “Azerbaijan: status of Armenians, Russians, Jews and Other Minorities”, p. 19.

resettlement help. Residents said that since 2007 Azerbaijan has pressured them to give up Russian citizenship or sell their property and leave. After the border agreement, they were threatened with deportation if they did not take Azerbaijani citizenship, the local school was closed, and activists were blocked from crossing the border to return to their village. 162 Khrakh-Uba representatives said they wanted Russia to resettle them as a group near Lezgin areas in south Dagestan. The situation creates discontent in the Lezgin community also because the border-crossing arrangements have not improved and Azerbaijan's systematic attempts to assimilate Lezgins.

The statement delivered by N. Fetulaev, of Lezghin ethnic background states that the Lezgins' freedom to choose their place of residence is constantly violated.<sup>4</sup> He concluded that almost all the Lezghin families faced the problems of acquiring citizenship, getting pensions and other allowances and experienced losses while selling and buying their property in Azerbaijan and Dagestan.

During the Nagorno-Karabakh war between 1988-1994, Azerbaijan induced excessive conscription on native Lezgins against their will. In 1991-1994 out of 37,500 deaths in armed forces of Azerbaijan, the Lezgins accumulated 4000 to 6000 killed and in ceasefire period over 50 percent of the killed warriors of Azerbaijan have been Lezgins and Avars.<sup>5</sup> Research has indicated that the process of sending young Lezghin males to the troubled Azeri Nagorno-Karabakh is still ongoing. Moreover, the conscription conducted in the regions with dense settlements of ethnic minorities is usually much tougher than in other regions of Azerbaijan. A number of Lezghin NGOs addressed the Lezghin young people in Azerbaijan calling them not to serve in the Azeri army detachments located on the Azeri Nagorno-Karabakh border. In their appeal they noted that the Azeri authorities sent the majority of Lezghin to the frontline. At the same time they emphasized that Armenians were not enemies of the Lezghin people. They also reminded that from 2nd to 3rd March 2012 two military servants of the Azeri army belonging to ethnic minorities were killed at the border with Armenia.

There are very serious **language issues**. The cultural development of Lezghin people is seriously hindered by lack of means in regards to teaching and professional usage of their mother tongue. Point II Article 21 of the Constitution of the Republic of Azerbaijan guarantees free usage and development of other languages spoken by the population. Article 45 reads that anyone has the right to use his/her own language, receive upbringing, education and be involved in creative work in any language upon his/her desire and that nobody can be deprived of his/her right to use his/her own language. There is strong evidence indicating serious gaps in the fulfillment of these principles.

In contrast to neighboring Dagestan where local people are taught in their native languages in primary schools, including Azeris, there is no such opportunity for Lezgins as well as for any other ethnic minority in Azerbaijan. There are no educational institutions where at least first grade pupils could be taught in Lezghin language.

The classes of native languages are turned into a formality. Information coming from the Lezghin villages indicates that in many of them the native language is not studied at all. In the cities, with the exception of Kusary and settlements with mixed population, the native language is not taught either. Even if the children study the language, they do not have a good command of it; they can hardly read Lezghin books and are unable to write in Lezghin.

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<sup>4</sup> <http://www.kavkazweb.net/forum/index.php?showtopic=56810>

<sup>5</sup> <http://voskanapat.info/?p=80>, Levon Melik-Shakhnazaryan, politologist and Head of the Analytical Centre "Voskanapat"

There has been a considerable drop in number of Lezghin students having the opportunity to learn their mother tongue even as a second language, as indicated by the table below.

## Native languages in secondary schools in Azerbaijan

Number of students studying native language as a separate subject	2003	2004	2005	2006	2007	2008
Talysh	21744	21261	18893	19277	15690	17478
<b>Lezghin</b>	<b>24104</b>	<b>21221</b>	<b>21747</b>	<b>21238</b>	<b>20569</b>	<b>18671</b>
Tsakhur	895	822	723	665	597	564
Avar	2771	2536	2283	2087	2014	1859
Udin	364	281	288	226	251	223
Khanalykh	98	96	92	80	83	113
Ivrid	102	73	79	62	64	159

The Ministry of Education of Azerbaijan banned the use of Russian textbooks at schools and the Lezghins were deprived of the possibility to use these high-quality manuals for studying the Lezghin language. The Baku branch of the Dagestan State University, where a faculty of Dagestani philology was functioning, was closed. No more specialists in Lezghin language and literature are trained in Azerbaijan, which results in deficiency shortage of Lezghin language teachers for the regional schools.

Faik Shakhbazov, an expert from the Ministry of Education of Azerbaijan who heads of Department responsible for publishing textbooks for schools, blames the deficiency of educational materials on the lack of qualified authors capable of writing books in languages of ethnic minorities. There are very few proposals for publications coming from the regions and those that they receive in the Ministry do not meet the established requirements.

Almost all textbooks in ethnic minorities' languages that are used in Azerbaijan are coming from Dagestan and there is a drastic shortage of them at the schools. Nowadays it is impossible to mail them to Azerbaijan as there is a ban on the usage of Russian books in Azeri schools.

There is no telecasting in Lezghin language at all. The creation of any Lezghin channels is blocked by the government. There is no Lezghin newspaper supported by the State, the Lezghin theatre in Baku has not been restored. Azerbaijani parliamentarians opposed to European experts' proposal to introduce weekly 15-minute programs in native languages of ethnic minorities. It was stated that "taking into account the fact that ethnic minorities make 9,4 percent of the population in Azerbaijan it will take too much time to transmit programs in each minority language which contradicts the State legislation".

## Article 2 – Non-Discrimination

**Article 2.2** requires the States Parties to the Covenant to undertake steps to “guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Even though the Azerbaijani government insists it adheres to pluralistic and democratic principles, the examples of State-level discrimination related to differences in mother tongue and religious denomination are notoriously abundant.

Azerbaijan is traditionally a Shia Muslim country, while most of the Lezghin population, except for a very small minority, is Sunni Muslim. It is estimated that up to 35% of the population in Azerbaijan is Sunni Muslim, which includes mostly ethnic minorities and a very small percentage of ethnic Azeri in the northern part of the country. Many of Sunnis are living in large cities. During the second Russian-Persian war (1826-1828) the Sunni population of Azerbaijan supported Russian troops.

As Azerbaijan, considered to be the first secular Muslim country, wants to reinstall its position as a country devoid of any "political Islam", both Shia Islamic influences from neighboring theocracy of Iran and Sunni denominations, which are usually linked to radical Salafist movements both by the State and general mentality of the majority, are shunned

The authorities used spurious excuses to start closing Sunni mosques such as “Abu-Bakar” and “Shekhidlyar” in Yasamal and Surakhan regions respectively. At the same time some non-traditional religious communities do not face any difficulties with their re-registration.

Special role in controlling believers was given by the authorities to Allahshukur Pashazade, Mufti of Azerbaijan. He heads the Spiritual Board of Muslims of the Caucasus, a descendant of the Soviet board, which aims to control all the religious Muslim movements in the country. He was ill-famed for the ban to call Moslems for prayers through loud-hailers and conduct Islamic proselytism in the country. Since 2010 it has been officially prohibited to wear hijabs in schools.<sup>6</sup> Azeri experts deny the existence of any problems in the sphere of ethnic relations and all possible ethno-political tensions are explained by an intervention of some external forces. Lezghin activists are often portrayed as extremists in an attempt by the State to force them out of the country’s political sphere.

Observers concur that the re-registration procedure became a kind of “purgatory” for the unwanted communities and they were removed from the list of legal entities. Sunni communities became the first victims of the process, among which was the famous Lezghi Mosque. Some religious activists from the Southern Dagestan who made a proclamation against the Azeri policy with regard to the Sunni heritage of Lezghi Mosque were also involved in this conflict.

There are also numerous cases of language-based discrimination. In Kusary district, a Lezghin who put a signboard in Lezghin language on his shop was forced to close his business. Shair Alkhasov, Head of Kusary Administration and a staunch opponent to Lezghin signboards, invited all school principals and the Director of the Kusary Cultural Centre and demanded that they prohibit the use of the Lezghin language in all the institutions they supervised, under penalty of losing their jobs. However, Shair Alkhasov was not removed from his post for such illegal actions and is still heading the Kusary district.

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<sup>6</sup> Hema Kotecha [Islamic and Ethnic Identities in Azerbaijan: Emerging trends and tensions](#) (PDF). OSCE Office in Baku.



One more example of the Lezghin minority's rights violation was the removal of the plaque "Lezghi Mosque" from the mosque recognized by the UNESCO as belonging to the World Heritage Sites. A religious organization affiliated and registered as "Lezghi Mosque" was placed before an ultimatum: the mosque will be re-registered only if its name will be changed to "Ashurbekskaya Mosque." However the members of Lezghin communities refused to do it. Nevertheless the authorities insisted on the change, claiming that they were simply returning its historical name to the mosque. These actions undertaken by the authorities of Azerbaijan are seen by Lezghins as a purposeful destruction of any historical evidences about the Lezghins and their culture in the Republic of Azerbaijan.

There have also been distinct cases of focused discarding of Lezghin culture at the national level. For example, In the 60s carpets created by Lezghin craftswomen and displayed in the State Museum of Azerbaijan were presented as Lezghin carpets. Nowadays, even Sumakhi carpets which are specific to Lezghin culture are presented alongside other carpets as Azeri indicating only historical and geographical zones. Thus all pieces of arts, including that of the Lezghin but also belonging to other minorities such as Tats, Talyshes, Avars, and Undins, are presented as Azeri art.

The toponymy relating to the Lezghins is also distorted. The name of the settlement Kuktashen was replaced by Kabala and Vartashen was called Oguz which was an evident political decision to remove all pre-Turk toponymy and eliminate anything presenting historical memory of minorities in Azerbaijan.

## Article 6 – Right to work

**Article 6.1** states that “[t]he States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.”

**Article 6.2** states that “[t]he steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programs, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.”

The Azerbaijani government has stated that it ensures the right to work to all the minorities. To support this claim, a table indicating their high level of employment is widely circulated.

**Rate of employment in Azerbaijan according to 1999 census is given in the table below:**

<i>Ethnicity</i>	<i>Number of working-age population</i>	<i>Number of employed</i>	<i>Percentage</i>
<b>Total</b>	<b>3 400.3</b>	<b>2 847.7</b>	<b>83.7</b>
<i>Azeris</i>	3 064.5	2 555.7	83.4
<b>Lezghins</b>	<b>77.7</b>	<b>68.9</b>	<b>88.7</b>
<i>Russians</i>	62.9	50.3	80.8
<i>Armenians</i>	54.4	45.9	84.4
<i>Talyshes</i>	37.6	36.2	96.3
<i>Avars</i>	25.3	24.1	95.3
<i>Turks</i>	18.5	17.4	93.9
<i>Tatars</i>	12.8	10.1	79.4
<i>Ukrainians</i>	12.5	9.9	79.5
<i>Tsakhurs</i>	7.6	6.9	89.9
<i>Georgians</i>	7.2	6.6	91.1
<i>Kurds</i>	5.6	4.2	74.5
<i>Tats</i>	4.3	3.9	91.0
<i>Jews</i>	3.2	2.6	82.3
<i>Udins</i>	1.9	1.3	68.1
<i>others</i>	4.3	3.7	84.5

This table indicates that the Lezghins are actually better employed than Azeris. However, it should be noted that the number of Lezghins having Azerbaijan permanent residence but working outside Azerbaijan has not been taken into account. It is well-known that the majority of Lezghins are employed outside Azerbaijan, mostly in Russia.

The unemployment rate is very high in the regions bordering Azerbaijan and Dagestan. On both sides of the border a great number of non-local residents are serving in Border and Customs Services, while native Lezghins are systematically ousted to serve there due to political calculations. The Ismaili district, traditionally inhabited by a large number of Lezghin people, is notoriously poor, receiving

only 1 percent of the total investments in the country; the average salary there is 40 percent lower than in the rest of Azerbaijan and the unemployment rate is extreme.<sup>7</sup>

Mass resettlement of Azeri compatriots from Nakhichevan and Erzas and to the places historically inhabited by indigenous people has created a situation in which the newly resettled people have bought all the arable lands belonging to indigenous peoples and turned them into their resorts constructing villas worth millions of dollars while the majority of indigenous people are living below poverty line. Native Lezghins are systematically denied rights to gain work because of nationalist bias.

## **Article 11 – Right to adequate standard of living**

*Article 11.1 states that “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.”*

Many regions compactly settled by the Lezghins are in drastic economic conditions. Thus in Oguz region of Azerbaijan, the remotest district of the Republic inhabited mostly by Lezghins, the undeveloped sewage system and lack of paved roads created a lot of problems for the local population. Often breakages of sewage pipes pollute the streets and country roads with sewage waters and cause damage to the environment and the people’s health.

The social and economic situation in the Lezghin regions bordering Russia is extreme and the living standards are the lowest in the country. There are no normal roads and hospitals and the water supply and heating systems are outdated. It creates the impression that the authorities are purposefully forcing the Lezghins out of the country.

The FLNKA has received numerous letters from Lezghin villagers complaining about official registration of their homes and lands. In all the villages of the Republic free distribution of land took place, except in the areas populated by these villagers belonging to a distinct minority. Residents of the Lezghin villages had no choice but to buy the lands of their ancestors. However, these land sales were not recognized by the government officials who denied any official registration, leaving the legal status of the lands open for purchase. These lands were later illegally sold to people who are presently conducting construction works of unknown nature, leaving a huge segment of minority population landless and in dire living standard.

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<sup>7</sup> <http://flnka.ru/politika/1344-azerbaydzhanskiy-kokteyl-molotova.html>: Fahraddin Abzoda

## Section D: Recommendations

- 1) *Conduct accurate census of the population numbers, disaggregating it to take into account minority groups;*
- 2) *Adopt laws that will give the opportunity to the ethnic minorities divided by the State border to hold dual citizenship;*
- 3) *Establish quotas for the State service for ethnic minorities;*
- 4) *Observe ethnic balance in sending conscripts to the frontlines of the Nagorno-Karabakh border;*
- 5) *Develop the educational system in minority areas, including through the construction of schools, the development of quality scientific and educational material in minority languages, the inclusion of native languages as a mandatory option of the school curriculum, and specific trainings for minority language teachers;*
- 6) *Ensure regular broadcasting in minority languages and publishing of newspapers and other periodicals in these languages;*
- 7) *Give legal status as regional languages of the Republic of Azerbaijan to minority languages;*
- 8) *Guarantee freedom of conscience in the country, notably by removing obstacles created for the registration of Sunni communities and functioning religious institutions relating to them;*
- 9) *Recognize and promote the existence of minorities' cultural heritage in Azerbaijan, and stop the process of modification of the toponymy in minority areas;*
- 10) *Allow the establishment of all-Azeri cultural, linguistic and other associations of Lezghin peoples;*
- 11) *Improve the living conditions in minority areas, including construction of adequate infrastructures, facilities, and development of communications and transportation networks.*