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# AZERBAIJAN

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## Republic of Azerbaijan

**Population:** 8.4 million (2.7 million under 18)

**Government armed forces:** 66,740

**Compulsory recruitment age:** 18

**Voluntary recruitment age:** 17 (as a cadet school student)

**Voting age:** 18

**Optional Protocol:** ratified 3 July 2002

**Other treaties ratified (see glossary):**

CRC, ILO 138, ILO 182

***Under-18s could volunteer to join the armed forces as cadets at military school.***

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## Context

Negotiations with Armenia continued under the auspices of the Organization for Security and Co-operation in Europe (OSCE) to end the dispute over the status of Nagorno-Karabakh.<sup>1</sup> Azerbaijan's oil wealth was channelled into the military to bring its forces up to NATO standards and to counterbalance Armenia's armed forces. Military spending rose from US\$135 million in 2003 to US\$700 million in 2006, and was projected to increase further.<sup>2</sup>

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## Government

### National recruitment legislation and practice

The November 1992 Law on Military Service set the age of conscription at 18. Boys at the age of 16 were usually required to have a medical examination, and at the age of 18 were called up.<sup>3</sup>

Recruitment legislation was amended in December 2006 to ensure a larger pool of conscripts. Matriculating students and people caring for disabled relatives no longer had the right to defer military service. Eighteen-year-olds who did not register for conscription could face criminal charges. Compulsory military service was increased from 12 to 18 months, with call-ups four times a year, rather than twice as previously. District military commissioners, reorganized on a regional basis, were to answer directly to the president, rather than the Ministry of Defence. Conscripts could be assigned to other government departments, such as the Ministries of Justice or Emergency Situations, in addition to the armed forces. The new system was to be fully implemented by 2010.<sup>4</sup>

According to Azerbaijan's declaration on ratifying the Optional Protocol in 2002, 17-year-olds could voluntarily enter active military service while at military cadet schools.<sup>5</sup> Non-governmental organizations (NGOs) in Azerbaijan

reported that in practice 17-year-olds who had graduated from military secondary-schools could go straight into military service.<sup>6</sup>

The direct participation of children aged under 15 in military action was prohibited. The recruitment of minors into the armed forces was treated as a violation of international humanitarian law and punishable under Article 116 of the Criminal Code.<sup>7</sup>

Advocates of military reform raised concerns that the rights of soldiers, cadets and even officers were violated in the military. Living conditions were poor, with a reported rise in suicides and criminality. In the early 2007 it was reported that during the previous year there had been about 200 cases of corruption or violence against soldiers. Conscripts' housing, annual leave and salaries were reported to have been arbitrarily withheld or withdrawn in some cases. A group researching military and security issues reported that in 2006, in contrast to previous years, the majority of casualties in Azerbaijan's army were non-battlefield-related – 75 per cent were the result of suicide or bullying. In December 2006 three soldiers were reported to have fled across the front line into Armenian captivity to escape physical abuse and bullying in the Azerbaijani army.<sup>8</sup>

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## Military training and military schools

Two military secondary-schools admitted pupils after eight years of education.<sup>9</sup> The first was founded in the 1970s; the second, in the Nakhichevan enclave, was opened in 2004.<sup>10</sup> Children could enter the schools at 14 years of age. Graduates were expected to go on to study at military higher-education institutions to become officers, but those who did not could join the army as ordinary soldiers.<sup>11</sup> Three Supreme Military Schools for the army, navy and air force and the Academy of National Security accepted pupils aged 17–19 as cadets who were considered to be members of the armed forces. The schools offered courses based on NATO standards.<sup>12</sup>

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## Nagorno-Karabakh Republic (NKR)

The Nagorno-Karabakh Republic (NKR) had its own laws and armed forces, but remained unrecognized internationally. The strength of the army was estimated at 18,500–20,000, of whom over half were reportedly citizens of Armenia.<sup>13</sup> The remainder were largely conscripts.

The NKR constitution required citizens to do compulsory military service (Article 57). Conscription and voluntary recruitment were regulated by the Law on Military Service, as amended in 2006, and the Law on Military Obligations of 2001. The Law on Military Obligations stipulated that all male citizens at the age of 16 submit to a medical examination

(Articles 5 and 11). Those who passed had to carry out two years' military service between the ages of 18 and 27.

The minimum age for voluntary recruitment was also 18. Men could become professional soldiers on completing military service. Women could also sign up voluntarily.<sup>14</sup>

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\* Titles of non-English-language sources have been translated by the Coalition.

- 1 "Armenian, Azerbaijan envoys meet over Nagorno-Karabakh", Radio Free Europe/Radio Liberty (RFE/RL), 14 March 2007, [www.rferl.org](http://www.rferl.org).
- 2 Speech of President Ilham Aliyev at Graduation Ceremony at Heydar Aliyev High Military School, 23 June 2006, in UNDP Azerbaijan Development Bulletin, Issue No. 39, July 2006, [www.un-az.org/undp](http://www.un-az.org/undp); Adalat Bargarar, "Azerbaijan boosts military", Institute of War and Peace Reporting (IWPR), 7 July 2005, [www.iwpr.net](http://www.iwpr.net); Jasur Mamedov, "Azerbaijan tiptoes towards NATO", IWPR, 23 November 2006.
- 3 Marc Stolwijk, *The Right to Conscientious Objection in Europe: A Review of the Current Situation*, Quaker Council for European Affairs, April 2005, [www.quaker.org/qcea/coreport](http://www.quaker.org/qcea/coreport).
- 4 B. Safarov, "Parliament passed amendments to the law on the basics of conscription", *Ekho*, 26 December 2006, [www.echo-az.com](http://www.echo-az.com); J. Mazakhiroglu, "Military Commissioners' Offices will be Abolished", *Armeyskoe Zerkalo*, 30 December 2006, [www.zerkalo.az](http://www.zerkalo.az).
- 5 Declaration on accession to the Optional Protocol, [www2.ohchr.org](http://www2.ohchr.org).
- 6 Confidential sources, March 2007.
- 7 Second periodic report of Azerbaijan to the UN Committee on the Rights of the Child, UN Doc. CRC/C/83/Add.13, 7 April 2005.
- 8 Adalat Bargarar, above note 2; Jasur Mamedov, "Army abuse claims in Azerbaijan", IWPR, 8 March 2007; Liz Fuller, "Azerbaijan: Military has Cash, but no Security Doctrine", RFE/RL, 2 February 2006.
- 9 Confidential sources, above note 6.
- 10 "Executive Order of President of Azerbaijan on founding military lyceum named after Heydar Aliyev", *Azerbaijan*, No. 49, 27 February 2004, at [www.vescc.com](http://www.vescc.com).
- 11 Confidential sources, above note 6.
- 12 J. Sumerinli, "Reforms in the Army are a long-term process", *Voennoe Zerkalo*, undated, <http://old.zerkalo.az>; Ministry of National Security, "The role of the Ministry of National Security in NATO-Azerbaijan cooperation", *Diplomacy and Law*, No. 1 (007), April 2007, [www.mns.gov.az](http://www.mns.gov.az).
- 13 International Crisis Group (ICG), *Nagorno-Karabakh: Viewing the Conflict from the Ground*, Europe Report No. 166, 14 September 2005, [www.crisisgroup.org](http://www.crisisgroup.org).
- 14 Confidential sources, Nagorno Karabakh, March 2007.