
AZERBAIJAN

Republic of Azerbaijan

Population: 8.3 million (3.0 million under 18)

Government armed forces: 66,490

Compulsory recruitment age: 18

Voluntary recruitment age: 17 (training only)

Voting age: 18

Optional Protocol: ratified 3 July 2002

Other treaties ratified (see glossary):

CRC, ILO 138, ILO 182

Under-18s could enlist voluntarily for active service in the Azerbaijan armed forces as cadets at military school. In the self-proclaimed Nagorno-Karabakh Republic (NKR) children reportedly received some military training at school but were not recruited into the NKR armed forces.

Context

Peace negotiations continued between Armenia and Azerbaijan, brokered by the Organization for Security and Co-operation in Europe (OSCE), to end the conflict over the disputed status of Nagorno-Karabakh.¹ Breaches of the ceasefire occurred throughout the second half of 2003, with cross-border shelling and exchanges of gunfire resulting in a number of casualties.² In March 2004 the Minister of Defence said that the “liberation of our lands from enemy occupation” was the highest priority for the armed forces.³

Allegations of excessive use of force, torture and ill-treatment by law enforcement officials persisted. Harassment and threats were made against human rights activists, government critics and journalists. An August 2002 referendum approved constitutional changes to the electoral system. The following year the president appointed as prime minister his son, who was in turn elected president in an October 2003 election where there were widespread electoral irregularities, intimidation of opposition supporters, harassment of the media, and excessive use of force by police in breaking up peaceful opposition demonstrations. After the election hundreds of opposition activists were arrested and subjected to short-term administrative detention or faced further proceedings.

The amendments to the constitution approved in August 2002 included amendments providing for the introduction of a civilian alternative to military service, but implementing legislation would be required to bring this into effect.⁴

Government

National recruitment legislation and practice

When ratifying the Optional Protocol in July 2002, Azerbaijan declared that youths may volunteer for “active military service” as cadets at military school once they were 17, in accordance with the Law on Military Service of November 1992.⁵ No official minimum age for voluntary recruitment exists for other recruits.⁶

The 1995 constitution provides for conscription, stating that “Defence of the Homeland shall be the duty of every citizen” (Article 76).⁷ Compulsory military service is carried out in accordance with the Law on Military Service and the Law on the Foundations of Conscription. Boys are registered for the draft when they turn 17 and conscripted service begins once they are 18. The draft takes place at least twice a year and the term of service is 17 months, although this may be extended in a national emergency.⁸

Conditions in the military remained poor, with 15 conscript deaths reported in the press in 2002.⁹ Unofficial figures are far higher. In February 2002 a former defence official estimated that since 1994 more than 5,000 soldiers had died as a result of malnutrition, disease, accidents and bullying.¹⁰ In September 2002 some 3,000 cadets at Baku’s Higher Military Academy protested at the living conditions, poor food and alleged mistreatment.¹¹

Military training and military schools

Children in ordinary secondary schools receive “integrated military-patriotic training” and military education lessons as part of the national curriculum. There are two Supreme Military Schools for under-18s, in Baku and in the autonomous Nakhichevan region. The age of entry was unclear, reports varying from 14 to 16.¹² After a “full military education” for three years, students may go on to Higher Military Schools.¹³ There were no known youth organizations with a military orientation.¹⁴

Nagorno-Karabakh Republic (NKR)

The NKR had its own laws, economy and armed forces, but remained unrecognized internationally. The capabilities of its armed forces were secret, although troop strength was estimated at between 18 and 22 thousand, with 30 to 40 thousand reservists receiving periodic training. Troops were locally conscripted or employed on contract from within the Karabakhi population or the Armenian diaspora of the Caucasus.¹⁵

There is no voluntary recruitment system. Conscription is regulated by the NKR Law on Military Service of 27 December 2001 and a law on conscription. The minimum age for conscription is 18, including in a state of emergency, and military service is for two years.¹⁶ In 2001 at least three conscientious objectors were convicted for evading call-up. Two were given custodial sentences but had reportedly been released by the end of the year.¹⁷

Children receive “military-patriotic” training, and several ordinary schools run “military-patriotic” clubs.¹⁸ In secondary schools, senior students take an “initial military training” course. There are no dedicated military schools for under-18s, but one “military-sports lyceum” provides both a general and “sports-military” education.¹⁹ In 2004 a journalist visiting a school in the NKR capital, Stepanakert, reported seeing 15 year olds in a compulsory military training program demonstrate assembling Kalashnikov assault rifles.²⁰

1 International Institute for Strategic Studies (IISS), *The Military Balance 2003-2004*, Oxford University Press, October 2003.

2 US Department of State, *Country Reports on Human Rights Practices 2003*, February 2004, <http://www.state.gov/g/drl/hr/c1470.htm>; Institute for War and Peace Reporting (IWPR), *Caucasus Reporting Service*, No. 190, 7 August 2003, <http://www.iwpr.net>.

3 Radio Free Europe/Radio Liberty (RFE/RL), *Newsline*, 10 March 2004, <http://www.rferl.org>.

4 *Amnesty International Reports 2002, 2003 and 2004*, <http://web.amnesty.org/library/engindex>.

5 Declarations and reservations to the Optional Protocol, <http://www.ohchr.org>.

6 Correspondence from Reliable Future, a non-governmental organization (NGO), and Azerbaijan NGO Alliance for Child Rights, 4 March 2004; Child Soldiers Coalition interview with defence spokesperson, embassy of Azerbaijan, United Kingdom (UK), 8 March 2004.

7 Constitution, http://confinder.richmond.edu/local_azerbaijan.html.

8 Defence spokesperson, embassy of Azerbaijan, op. cit.; Presidential decrees of December 2003 and 17 March 2004, at Azerbaijan Development Gateway, <http://www.gateway.az> (Legislation database); Presidential decree of 19 June 2000, reported in Azerbaijani TV, “Azeri president issues decree on conscription”, 21 June 2000, posted 22 June 2000 at <http://www.eurasianet.org>; IISS, *The Military Balance 2003-2004*, op. cit.

9 US Department of State, op. cit.

10 *Sarq* (Baku), 27 February 2002, posted at Post-Soviet Armies Newsletter, <http://www.psan.org>.

11 RFE/RL, *Newsline*, 4 September 2002.

12 Reliable Future and Azerbaijan NGO Alliance for Child Rights, op. cit.; Defence spokesperson, embassy of Azerbaijan, op. cit.

13 Reliable Future and Azerbaijan NGO Alliance for Child Rights, op. cit.

14 Defence spokesperson, embassy of Azerbaijan, op. cit.

15 IISS, *Armenia-Azerbaijan weapons overview*, Armed Conflict Database (subscribers only); IISS, *The Military Balance 2003-2004*, op. cit.; *Azat Artsakh*, “Karabakh Defence Minister Does Not Expect War”, 7 April 2001, *Azerbaijan International Magazine*, <http://www.azer.com> (Karabakh, Media).

16 Correspondence from NKR Ministry of Foreign Affairs, 23 and 30 March 2004; NKR, List of laws, Law on liability for military service, <http://nkr.am/eng/gov/zakon.htm>; *Azat Artsakh*, op. cit.

17 *Amnesty International Report 2002*.

18 *Azat Artsakh*, op. cit.

19 NKR Ministry of Foreign Affairs, op. cit.

20 Frank Viviano, “The rebirth of Armenia”, *National Geographic Magazine*, March 2004.