

AZERBAIJAN | mega-event evictions demonstrate corruption and disregard for law Abuse of Eminent Domain and State Abuse of Expropriation | an OSF Cross-Cutting Topic

Residents in neighborhoods near the Eurovision Song Contest 2012 venue and in the historic city center were illegally evicted in preparation for both that mega event and other "beautification projects." Residents were often given only hours to leave their homes, and were frequently paid below-market value compensation; these practices were in direct opposition to existing laws and cabinet decisions. The manner in which the evictions were carried out also highlighted corruption among the ruling class; projects were carried out in the guise of development or preparation for the Eurovision Song Contest, but were actually pet projects of the elite.

THE CASE

Due to the Eurovision Song Contest 2012, a "beautification program" led by elites, and an ongoing oil boom, hundreds, if not thousands, of families in central Baku have been forced from their homes. Realizing the elite's vision of what the city center should look like, in order to impress the world and stand as a tribute to their success, came at a very high cost to residents, including middle and working class people with legal claim to their apartments or homes. Residents, such as Leyla Yunus, an advocate against forced evictions, have resisted in various ways. Aware of her rights, Yunus wrote "This is private property and the destruction of the house violates the Constitution and the European Convention of Human Rights" on the side of her home and adjacent buildings in a failed attempt to protect them from demolition. In August 2011, her building, which contained the Yunus' Institute for Peace and Democracy (Leyla Yunus is chair), the Azerbaijani Campaign to Ban Landmines, and the only women's crisis center in Baku, was destroyed.

The evictions continue well beyond the Eurovision Song Contest, into 2013, with Azerbaijani authorities set to open a park – the Winter Garden – in May 2013. As was the case with the previously discussed projects, hundreds of residents were forcibly removed with no written warning, and little compensation, to make way for this park.

Past and ongoing evictions in Baku highlight the lack of communication between the government and its citizens; they are carried out without communication

or consultation with the communities to be affected. In some cases, residents were told that they had two weeks before eviction, but were removed before the end of these two weeks, often while they were still inside their homes. Prior to eviction, homes are partially dismantled and services like water, gas, and electricity are shut off in an attempt to force residents out more quickly. Compensation, when offered, is insufficient (USD \$1900/sq yard is offered, while independent appraisals reached USD \$5000), and opposition to the destruction has been ignored.

RIGHTS AND EVICTIONS

The evictions have exposed corruption and disregard for rule of law. The lack of warning and payment schemes offering compensation below market value directly violate government policies and laws. A Cabinet of Ministers' decision holds that evictions require a legal contract, 90 days' notice of relocation, and transportation during the relocation. According to Azerbaijani law, "the State can only seize or purchase property if it is planning to build a new road, railway, or military building" ([Human Rights Watch Report](#)). Finally, a Presidential Decree from 2007 states that owners should receive 20 percent more than the market price for their property in the event that it is expropriated. The evictions and demolitions in the lead up to the Eurovision Song Contest, and those fueled by the oil boom violate each of these – Azerbaijani law, the Cabinet of Minister's Decision, and the Presidential Decree – and expose the corrupt ruling style of authorities.

According to Magda Adamowicz of OSF's Human Rights Initiative, this disregard for the law and the

overriding power of ruling authorities has also poisoned the country's justice system. In cases brought against developers or the ruling elite, a mayor's decision typically supersedes that of a judge or court, thereby rendering courts ineffective.

The evictions and demolition of housing leading up to the Eurovision Song Contest also highlighted the country's low degree of freedom of expression, and disregard for press freedoms. Journalists who were attempting to document the demolitions were threatened and beaten by the police.

Finally, the ongoing evictions and demolitions in Baku call attention to the lack of transparency in city planning. [Human Rights Watch](#) notes the case of one Azerbaijani homeowner who was evicted in 2011 and sought information from the government to identify a neighborhood that was not at risk of demolition. She was not granted access to this information, and instead was verbally assured that the neighborhood to which she intended to relocate was not under threat of demolition. In 2013, she was notified that she would indeed be removed from her new home, and it would be demolished. This case is an example of the lack of transparency in the government, and could hint at a lack of systematic planning.

TOOLS AND TACTICS

Uniting different constituencies | Because of the urgency of the evictions occurring in Baku, groups that had not originally tackled housing issues – like the OSF-funded Free Economy Public Union – rose to the occasion. Since Azerbaijanis across the socioeconomic and geographic spectrum are affected in some manner by the evictions, the issue drew in this and other groups. Adamowicz notes that housing and land rights represent “a very sympathetic angle that could draw more attention because it's happening to everyone.” In the case of Baku, even an ambassador to the Council of Europe had his land expropriated.

Using media and community voices | Residents facing threat of eviction, and individuals seeking to advocate against the evictions as a whole have turned to photographs, video, and music to serve their needs. Photographs and videos of homes were used to document belongings and housing, in an effort to later secure adequate compensation. In these cases, the goal was not to prevent eviction, but to ensure that evicted residents received deserved compensation. This documentation could also serve as legal evidence, should individuals wish to take their cases to court.

Azerbaijanis also took their protests against the evictions due to the Eurovision Song Contest to international audiences. They made movies, took photos, set up exhibitions, wrote songs ([one in particular](#), by Jamal Ali, a famous rapper), wrote blogs, and more. Through this work, they garnered a great deal of attention and developed coalitions, which is important to present and future advocacy work.

RELATED READING

[HRW Report, “They Took Everything From Me”](#)

[HRW “Azerbaijan: Stop Forced Evictions, Illegal Demolitions”](#)

[NYT “Middle Class Families Face Evictions in Azerbaijan”](#)

[NYT “Offices of Activist Bulldozed in Azerbaijan”](#)

[NYT “Big in Baku”](#)

[The Guardian “Azerbaijani Journalist Attacked by Oil Company Security”](#)

[Committee to Protect Journalists “Several reporters assaulted, one hospitalized in Baku”](#)

[OSF Voices “Business as Usual or Change for Azerbaijan after Eurovision?”](#)

[Song by Jamal Ali](#)

[Video Petition against Eurovision Song Contest](#)

[Photos of Demolitions in 2011](#)