

## Strategic approach in forcing the future generations - the independence of Azerbaijan is eternal and inversible

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### Short Communication

#### ABSTRACT

Herein, the author portrayed his perspectives on strategies that can inspire and guarantee the irreversibility of the independence of Azerbaijan, putting the future generations into consideration.

#### KEYWORDS

Citizen; generations; independence; Azerbaijan

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### INTRODUCTION



On November 12, a state holiday of exceptional importance is celebrated in Azerbaijan - the Constitution Day of the Republic of Azerbaijan. Twenty-five years ago, in 1995, through a general popular referendum, the main law of an independent sovereign state was adopted - the Constitution of Azerbaijan, which became the guarantor of an independent democratic legal society.

#### An important day in the life of every citizen

In the first years of independence, the Republic of Azerbaijan faced great difficulties. Although the Constitutional Act on State Independence was adopted on October 18, 1991.

In the early 90s, the threat of Azerbaijan losing its independence arose. The aggression of Armenia against the Azerbaijani people has acquired a wide scale. The crisis in the economy, politics and other spheres has become a serious test. In such a difficult time, due to the inexperience and lack of professionalism of the leadership then in power, the country found itself in an uncontrollable situation. At the request of the people in June 1993, Heydar Aliyev arrived in Baku and was elected chairman of the Supreme Soviet of Azerbaijan.

After the return of Heydar Aliyev to power, the concept of statehood was developed, which was reflected in the national ideology. In particular, he took significant steps to resolve such an important problem as the Armenian-Azerbaijani Nagorno-Karabakh conflict. As a result of the far-sighted policy of Heydar Aliyev, a ceasefire agreement with Armenia was adopted in May 1994. And in September of the same year, the historic document "Contract of the Century" was signed with oil companies for the exploitation of the rich oil and gas structures of the Caspian.

This contributed not only to the further development of Azerbaijan in the economic sphere, but also made it possible to carry out successful measures to ensure its independence. True independence is the complete possession of one's wealth. Thus, Azerbaijan for the first time acted as the owner of its resources. And the participation of the most advanced companies of the world's leading countries in this contract has increased the importance and authority of Azerbaijan in the region.

Azerbaijan has joined large regional projects, the energy security system of Europe and the world as a whole. All these measures, carried out by Heydar Aliyev, prepared a fertile ground for the adoption in 1995 of the new Constitution of the Republic of Azerbaijan. And the National Leader himself took a direct part in its preparation. He immediately directed his efforts to ensure that the independence of the young state was not lost. This is how a new stage began in the development of Azerbaijan and its formation as an independent democratic legal state. After the return of Heydar Aliyev to power, the concept of statehood was developed, which was reflected in the national ideology.

**Our wise political steps are the key to the successful development of the nation**

The preparation and adoption of the Basic Law of the independent Azerbaijani state, the development of the ideas of constitutionalism in the country is directly related to the name of the architect and creator of modern Azerbaijan, an outstanding state and political figure, Heydar Aliyev. During the years of difficult trials for the Azerbaijani state, it was the great leader Heydar Aliyev who was able to rally the citizens of the country around the idea of Azerbaijanism, put an end to the anarchy and instability that reigned in the country, began implementing large-scale reforms that covered all spheres of life of the state and society.

It can be noted that when preparing the Basic Law of our country, not only universal human values and traditional ideas of the rule of law were taken into account, but also modern trends in the development of these ideas, based on the national interests of Azerbaijan, they were enriched with the traditions of statehood and national spiritual values arising from the historical past of Azerbaijan. As noted in the preamble to the Constitution of the country, the people of Azerbaijan, continuing the centuries-old traditions of their statehood, wishing to ensure the well-being of everyone and everyone, to establish justice, freedom and security, realizing their responsibility to the past, present and future generations, using their sovereign right, adopted by nation-wide voting - referendum the Constitution. Having outlined the conceptual foundations and priorities for the future development of Azerbaijan, the Constitution laid a solid legal basis for the construction of a democratic, legal, secular state in our country.

The great leader Heydar Aliyev, who understood this well thanks to his foresight and wisdom, directly chaired the commission for the preparation the draft Constitution. The commission, along with representatives of legislative, executive and judicial authorities, also included well-known representatives of the country's public - scientists, professional lawyers, scientists and cultural figures.

I personally headed the commissions of our Barda region. During the work of the commission, which took several months, the national leader Heydar Aliyev gave valuable recommendations on the preparation of the draft Constitution, personally examined each of its provisions. Having organized open discussions of the draft Constitution with the participation of various sectors of society, he made great efforts to ensure its adoption in the most perfect form, taking into account modern values.

Heydar Aliyev, possessing great political experience, played an invaluable role in the development of the traditions of state independence of Azerbaijan and in the awakening of national self-awareness. Thanks to Aliyev, interest in the historical past of the Azerbaijani people increased, and national and spiritual revival began.

Speaking at the final meeting of the commission on the preparation of the draft of the new Constitution held on November 10, 1995, the great leader Heydar Aliyev emphasized, "... that he treated the preparation of this document with a sense of great responsibility.

"As the chairman of the commission, I was constantly aware and today I am aware of my personal responsibility in the preparation of this great historical document. Therefore, I spent a lot of time preparing it. I have the right to say that I worked very hard. Repeatedly studied the meaning of each expression, each word, repeatedly analyzed how reasonable they are for the present and future.

With a sense of deep satisfaction, I subscribe to this project and declare today that I bear full responsibility for it. I believe that we have created a very large document for the present and future of Azerbaijan - a political, legal document. The Constitution, based on modern doctrinal approaches to state building, establishes the fundamental principles and provisions of the system of political, economic and social relations in our country. The basis of the legal philosophy of the Constitution of the country, the basis of all its norms and provisions are precisely the idea of a democratic, legal, social state, the idea that a person, his rights and freedoms are the highest value. This document, which is of national importance, broadly reflects progressive values that determine the directions of development of modern civilized societies.

In democratic states, the Constitution forms the basis, the basis of the legal system, acts as a guarantor of political stability, social peace, and sometimes even national reconciliation in society. Constitutions regulating important social

relations between citizens, society and the state, establishing the foundations of the state and social structure, principles of organizing the political system, the concept and priorities of the activity and further development of the state as a whole, act today as the basic law of, one might say, all states.

The new Constitution laid the foundation for a democratic, secular, legal state. Man, his rights and freedoms, the ideals of a democratic and legal state became the center of the political system. The Constitution of Azerbaijan broadly reflects progressive ideas and values that determine the directions of development of modern civilized societies. As one of the fundamental principles of the rule of law, the Constitution enshrines the implementation of the organization of state power on the basis of the principle of separation of powers. In accordance with the Constitution, the legislative, executive and judicial powers interact and are independent within the framework of their powers.

The country's Constitution broadly reflects the freedom of economic activity, as one of the features of the constitutional system, a variety of types of property and a guarantee of their equal protection, the concept of a welfare state aimed at providing everyone with decent living conditions and free development. The Constitution assigns to the state the task of increasing the well-being of the people and every citizen, taking care of their social protection and a decent standard of living. As noted in the Basic Law, in Azerbaijan, the development of an economy based on various types of property serves to increase the well-being of the people, the Azerbaijani state, on the basis of market relations, creates conditions for the development of a socially oriented economy, assists the progress of culture, education, health care, science and art, protects the historical, material and spiritual heritage of our people.

The definition in the Constitution of the protection of human and civil rights and freedoms, ensuring the country's citizens a decent standard of living as the highest goal of the Azerbaijani state, entrusting the state with the task of ensuring the protection of the rights and freedoms of everyone is of exceptional importance. This means that the Constitution of the country at the highest level declares, which serves not some abstract interests of the state, but namely the interests of citizens, the interests of a person who is the leading force of a free society.

The foundation of the legal philosophy of the Constitution, prepared under the direct leadership of Heydar Aliyev and adopted through a nationwide vote, the basis of all its norms and provisions is precisely the formula of a democratic, legal, social state, ensuring human rights and freedoms. The 1995 Constitution was the basis, the source of all-round progress of Azerbaijan in the past period, carried out in various spheres of the country's life. The nationwide leader created an excellent concept of statehood based on scientific principles and rich intellectual potential, left a rich scientific, theoretical and practical legacy in the field of public administration.

The Constitution stipulates that the people of Azerbaijan exercise their sovereign right directly through a popular vote-referendum and through their representatives elected on the basis of universal, equal and direct suffrage, through free, secret and personal voting.

From this point of view, the implementation of judicial and legal reforms in our country, the more effective protection of human and civil rights and freedoms have necessitated constitutional reforms and further improvement of the Basic Law. Proceeding from this need, as a result of the referendums held on August 24, 2002 and March 18, 2009, substantial additions and changes were made to the text of the Constitution. The constitutional reforms served to adapt the legal system of Azerbaijan to the legal system of developed states and the norms of international law, to further expand the processes of democratization in our country, and to more effectively protect human rights and freedoms.

**The Basic Law stated the following principles:**

- protection of independence, sovereignty and territorial integrity of the Azerbaijan state;
- guaranteeing a democratic system within the framework of the Constitution, achieving the establishment of a civil society, building a legal, secular state that ensures the rule of law as an expression of the will of peoples;
- ensuring everyone a decent standard of living in accordance with a fair economic and social order, living in conditions of friendship, peace and security with other peoples, while maintaining adherence to universal human values, and the implementation of interaction for these purposes.

The Constitution of Azerbaijan broadly reflects progressive ideas and values that determine the directions of development of modern civilized societies. Among them, respect for the individual and human dignity, the formation of public authorities in a democratic manner, the availability of effective mechanisms for the protection of human rights, the guarantee of pluralism in the political system, the achievement of social justice, adherence to universal human values, bringing national legislation into line with international law and other principles and values.

The Constitution proclaims democracy as an important basis for the constitutional system of Azerbaijan, declares the Azerbaijani people as the only source of state power in the Republic of Azerbaijan, secures the free and independent determination of their fate and the establishment of their form of government as the sovereign right of the Azerbaijani people. According to the Basic Law, the unity of the people is the basis of the Azerbaijan state, the Azerbaijan Republic is the common and indivisible homeland of the country's citizens.

#### **Patriotism - a tenacious pursuit of success**

It was the rich political experience of the national leader, high managerial skills, inexhaustible love for the Motherland that saved the state independence of Azerbaijan from danger. The great leader eliminated the chaos and anarchy in the country, the economic, political, spiritual and psychological tension reigning in society. The independent Azerbaijan Republic has marked a new course of development on a solid basis.

Therefore, the adoption of the new Constitution was associated with fundamental changes taking place in the life of the Azerbaijani people. Developed thanks to the leadership and hard work of the national leader, the Basic Law is based on the centuries-old traditions of Azerbaijani statehood, national and universal values. The new Constitution gave a powerful impetus to the construction of a democratic and legal state, the development of the socio-political, economic and cultural life of Azerbaijan.

If we consider tolerance and multiculturalism as a humanistic worldview and recognition of the cultural rights of different peoples living in one country, then in Azerbaijan, as a result of the implementation of a wise state policy, all the necessary conditions have been created for the free residence of numerous nationalities and the coexistence of various religions and cultures.

Therefore, Azerbaijan is known in the world as a country exporting not only oil and gas, but also the values of tolerance and multiculturalism. The Azerbaijani model of tolerance and multiculturalism has existed for centuries, relying on humanism and universal human values - this is a stable and consistent political course of the state, the basis of social stability on national-spiritual, universal, humanistic values.

#### **Strategic approach to forcing future generations**

The adoption of the new Constitution was associated with fundamental changes taking place in the life of the Azerbaijani people. After the restoration of state independence, one of the vital tasks facing the Azerbaijani people was the implementation of the necessary measures to determine the main directions of the future development of Azerbaijan. A new law was needed, reflecting the conceptual foundations and fundamental principles of the country's future development.

An excellent concept of statehood, based on scientific principles and rich intellectual potential, has left a rich scientific, theoretical and practical legacy in the field of public administration.

Azerbaijan continues the path outlined by Heydar Aliyev. Today, the tireless efforts of the great leader aimed at preserving and strengthening our independence are continued by his worthy successor, President Ilham Aliyev, and made significant progress in the political, economic, social and military spheres.

Azerbaijan has turned into a country capable of influencing the course of strategic, political and economic processes in the region where Azerbaijan is located. Our country skillfully uses its political and economic power, strategic position and rich natural resources in ensuring external political priorities. In accordance with national interests, the country fruitfully cooperates with the majority of members of the international community. Thanks to the strategy of successful development implemented by the head of state, the country's economy takes one of the highest places in the world in terms of development rates. All this again gives grounds to say that the independence of Azerbaijan is eternal and irreversible.

The authority of Azerbaijan, which has turned into an initiator of projects of international importance, hosting grandiose events, is growing among the states of the world, our country is highly respected in influential international structures. As already noted, the Constitution of the Republic of Azerbaijan broadly reflects the ideas and values that determine the directions of development of modern civilized societies, which make it possible to build a legal state and civil society. The Basic Law declares the Azerbaijani state a democratic, legal, secular, unitary republic. We can say unequivocally that the 25-year-old Constitution was another vivid example of unity between the STATE - THE PEOPLE AND ITS ARMY, these are norms, ideas and principles that correspond both to the national interests of Azerbaijan and the centuries-old

traditions of the people, and the generally accepted principles of international law, have become a solid basis for ensuring a stable life in the country based on democratic principles.

These irreconcilable positions are marked not only by the roar of shells, they are most clearly manifested in the political will of the heads of state, their statements and absolutely incomparable images. On the one hand - confidence, pride, dignity. On the other hand, there are moans, yells and appeals to the collective West, which for the first time has taken a rather detached position.

President Ilham Aliyev reaffirms his adherence to the principles of the settlement of the Armenian-Azerbaijani Nagorno-Karabakh conflict, which were developed by a long-term negotiation process. "We are ready to suspend hostilities even tomorrow if Armenia behaves constructively on the negotiating track," confirms President Ilham Aliyev. - We are committed to the basic principles. This is the return of the territories occupied by the Armenian side, negotiations on the future of Nagorno-Karabakh, the return of refugees and internally displaced persons to their places of origin, including Nagorno-Karabakh, Shusha. "

In his recent interviews with various foreign media, President Ilham Aliyev stressed that the situation in Nagorno-Karabakh is still in a hot phase and this is a consequence of the continuing aggressive policy of Armenia, which has violated the ceasefire regime many times.

Azerbaijan has always relied on international law in the negotiation process to resolve the conflict. It should be noted that the UN Security Council since 1993 its 4 resolutions - 822, 853, 874, 884, confirming the sovereignty and territorial integrity of Azerbaijan, are indefinite, relevant until their implementation and establish legally binding rules for all states to implement them. Unfortunately, neither the OSCE Minsk Group co-chairs of the US, RF, France and other responsible circles were properly fulfilling the requirements of the UN Security Council.

Defending state sovereignty and territorial integrity and Azerbaijan fulfilling 4 resolutions of the UN Security Council acts within the framework of international law.

For almost 30 years of attempts to peacefully resolve the conflict, the issue has not been moved off the ground, on the contrary: the situation has worsened in recent years, and the negotiation process has reached a dead end. Despite constant calls for a peaceful solution to the conflict, this did not happen during the current aggravation.

Nevertheless, today the Azerbaijani people can proudly talk about the gradual return of the cultural center of the Azerbaijani people, the city of Shusha, seven of their ancestral regions, but also the territory of Nagorno-Karabakh. On November 9, 2020, the text of the statement "On Ending the War in Karabakh" was published online for signatures mediated by President of the Russian Federation V.V.Putin, President of the Republic of Azerbaijan I.H.Aliyev and Prime Minister of the Republic of Armenia N. Pashinyan.

### **The book of truth and freedom - the wise laws of our country**

The Constitution, as an important basis for the constitutional system of Azerbaijan, proclaims the people's power, declares the Azerbaijani people the only source of state power in the Republic of Azerbaijan, secures the free and independent determination of their fate and the establishment of their form of government as the sovereign right of the Azerbaijani people.

According to the Basic Law, the unity of our people is the basis of the Azerbaijan state, the Azerbaijan Republic is the common and indivisible homeland of the country's citizens. The Constitution also enshrines such important ideas and norms as strict adherence to the principle of preserving the integrity of the country, separation of powers, limitation of state power in internal matters only by law, and external issues only by provisions arising from international treaties to which the Republic of Azerbaijan is a party, guaranteeing pluralism. in the political system, the advantage of international law over national legislation (with the exception of the Constitution of the Republic of Azerbaijan and acts adopted by referendum).

As you know, one of the main legal features of the Constitution is its stability. The Constitution is an act with a stable content, intended for long-term activity. The stability of the Constitution is one of the main conditions for the stability of the rule of law in the country, the organization and implementation of state power, relations between the individual, the state and society.

For a quarter of a century history of the Constitution of the Republic of Azerbaijan has extensive experience in the implementation of its provisions, with the development of the concepts reflected in this document, numerous normative legal acts have been adopted, giving impetus to the construction of a strong social state, a highly competitive economy, the application of mechanisms for effective protection of human rights ... Based on universal values, the Constitution of the Republic of Azerbaijan still has great legal, political and ideological potential and serves the well-being of the Azerbaijani people.