



EUROPEAN PARLIAMENT

DELEGATION TO OBSERVE THE PARLIAMENTARY ELECTIONS IN AZERBAIJAN

6 November 2005

ELECTION OBSERVATION REPORT

***Mrs Marie Anne ISLER BÉGUIN,
Chair of the Delegation***

- Annexes:**
- **Joint press statement of 7 November 2005**
 - **List of participants**
 - **Final Programme**
 - **Statement of Parliamentary Assembly of the Council of Europe of 14 May 2006**
 - **Statement of OSCE Office for Democratic Institutions and Human Rights of 15 May 2006**

**DIRECTORATE-GENERAL FOR
EXTERNAL POLICIES OF THE UNION**

**6 June 2006
TG/AB/ES**

AZERBAIJAN PARLIAMENTARY ELECTIONS

6 November 2005

1. Introduction

Following the invitation of the Government of Azerbaijan to observe the parliamentary elections, on 29 September 2005 the Conference of Presidents authorised a seven-member delegation (2 EPPs, 3 PESs, 1 ALDE, and 1 GUE) to monitor this important event.

Mrs Marie Anne ISLER BÉGUIN was elected chair of the delegation at the constituent meeting on 12 October 2005. A meeting with representatives of the International Crisis Group took place on 17 October 2005. Dr. Sabine Freizer, from the International Crisis Group, presented an analysis of the situation in Azerbaijan. Participants exchanged views on the situation in Azerbaijan and on incidents during the electoral campaign. A preparatory meeting took place on 26 October 2006 when the final practical arrangements were discussed.

The European Parliament monitored the elections within the framework of the international election observation mission (IEOM) that comprised members from the parliamentary assemblies of the OSCE, the Council of Europe and NATO. The Office for Democratic Institutions and Human Rights (ODIHR) coordinated the work of the IEOM.

2. Background

The elections on 6 November 2005 were the third parliamentary elections held since independence, but it was the first time that a majoritarian system had been used.¹

The Parliament is a single-chamber body with 125 deputies. The most recent previous election took place in November 2000. The Parliament was elected on a 71.33% turnout. The distribution of seats was the following: Yeni Azerbaijan Party – 75 seats, Azerbaijan Popular Front Party – 6 seats, Civic Solidarity Party – 3 seats, Musavat Party – 2 seats, Azerbaijan National Independence Party – 2 seats, Alliance for the Sake of Azerbaijan – 1 seat, Social Prosperity Party – 1 seat, Motherland Party – 1 seat, Ana Vatan – 1 seat, Independent representatives – 29 seats. The distribution of seats was in accordance with the proportional system.

The Constitution of Azerbaijan establishes that the Parliament (*Milli Mejlis*) is elected for a five-year term. Every citizen of the Azerbaijan Republic no younger than 25 may stand for election as a deputy of the Azerbaijan Republic. The accuracy of the results of elections is checked and approved by the Constitutional Court.

In Azerbaijan the role of Parliament tends to be limited. There is inclination towards an unbalanced separation of powers, in favour of the president of the state. The parliament exercises partial oversight of government activities approves or rejects the budget but does not draft or

¹ The Constitution of Azerbaijan was amended by referendum in 2002, abolishing the proportional system for parliamentary elections in favor of a majoritarian system. No minimal turnout condition was added.

amend it and has limited oversight over the State Oil Fund. The management of this Fund stays at present with the Government, as it is mainly the responsibility of the Ministry of Finances.

3. Summary of discussions at meetings during the visit

Friday, 4 November 2005

3.1. Briefing by H.E. Laurie Bristow, British Ambassador to the Republic of Azerbaijan

The delegation attended the briefing hosted by H.E. Mr Laurie Bristow, British Ambassador to the Republic of Azerbaijan, with the EU Ambassadors and the Europa House.

The main points discussed during the briefing were the following:

The Campaign Environment

Concerning the legal framework of the elections, H.E. Mr. Laurie Bristow mentioned the two presidential decrees which contain detailed instructions on how to conduct the electoral process. Through the last decree (25 October) the president approved the finger-inking, as a supplementary method of avoiding the multiple voting. The British Ambassador judged that the implementation of this procedure could suffer due to the short time period for preparation. The media background, including the ANS case, was also discussed. On the 30 September, the National TV and the Radio Council ordered ANS CHM Radio to shut down its local radio branch in Shaki, claiming that a separate license was needed for transmission of a daily 30 minute programme production in Shaki. Apparently ANS provided also more airtime and opportunities to present the opposition views than the other media channels. The implications of the arrest of Rasul Guliyev were also underlined. Rasul Guliyev, former speaker of Parliament and a current candidate has an arrest warrant on criminal prosecution issued in 2000 in his name. The Minister of Internal Affairs has stated repeatedly that Mr Guliyev would be immediately arrested if he returns to Azerbaijan.

The Nagorno Karabakh conflict

The British Ambassador made reference to the Nagorno Karabakh situation, saying that despite the fact that the conflict is frozen, people are still killed there on a daily basis. The Minsk group (composed of France, USA and Russia) has been trying to find a solution acceptable to both the Armenians and the Azeri. Up until now the two sides have disagreed on every proposal that has been presented to them. Both Armenia and Azerbaijan are trapped in this conflict, the British Ambassador added. Armenia loses a lot of economic opportunities due to the Turkish and Azeri blockade along its frontiers (for example: the Baku-Tbilisi-Ceyhan pipeline). Azerbaijan has to deal with the very difficult situation of the internally displaced people from the conflict area. (more than 500 000 people)

State Oil Fund

HE Mr Laurie Bristow mentioned that the new Baku-Tbilisi-Ceyhan pipeline would be an important source of revenue for the Azerbaijan Government. The revenue will go to the State Oil Fund that is managed by the Ministry of Finance. Mrs Marie Anne ISLER BÉGUIN underlined that the new parliament should try to gain oversight of the activities related to the administration of the State Oil Fund. Such an arrangement would also go some way to improving the balance between the legislative and executive branches.

3.2. Briefings organised by OSCE/ODIHR

3.2.1. Mr Mazahir Panahov, Chairman of the CEC, explained the composition of the Central Election Commission and outlined the activities that the CEC had undertaken in organising the elections. The chairman made particular reference to the registration of candidates. Mr Panahov stated that the high number of candidates gave the voters a wide range of choices. On the issue of finger-inking, the Chairman argued that information about this procedure had already been prepared for the use of both Polling Station Election Commissions and the voters. Mr Panahov was confident that despite the short notice, the procedure would be successfully applied in all the constituencies. On the question of the media, the Chairman pointed out that the legislation had been complied with by both television channels and newspapers.

3.2.2. Mr Shahin Aliyev, from the Department of Legislation and Legal Expertise at the Office of President, emphasized the legal framework of these elections, referring to the Constitution, the Electoral Code and the two presidential decrees.

3.3. Political Parties and alliances:

Azadliq

Mr Isa Gambar, Chairman of the Musavat Party, outlined that the primary concern of the block he was representing was that the composition of the Central Election Commission was entirely under the control of the ruling party.

Mr Gambar highlighted events that he felt had created an undemocratic election climate and made specific reference to the authorities' disrespect for the freedom of assembly. Mr Isa Gambar added that if the elections were free and fair, the representatives of Azadliq bloc would be the first to congratulate the winning party. In case of fraud they would call for the population of Azerbaijan to attend peaceful rallies, in full accordance with Azerbaijan's law.

Mr Ali Kerimli, Chairman of the Azerbaijan Popular Front Party, presented the election campaign's shortcomings. He mentioned that forbidding rallies to take place was not the only irregularity during the electoral campaign. Mr Kerimli stated that the contracts that he had concluded with Az TV had not been honoured. The decrees of the president had not been implemented, he added, serving only to satisfy international organisations. Mr Kerimli pointed out the fact that the New Azerbaijan Party, the ruling party, does not have electoral offices within the region and that the government authorities play this role on the spot. Mr Kerimli added that members of the police and the military have been instructed to vote for the ruling party. The Chairman of Popular Front Party explained that the withdrawal of almost 500 independent candidates from the electoral race was the result of blackmail by the authorities against the candidates and their families.

Mr Sardar Jalaloglu, Chairman of Azerbaijan Democratic Party, announced that on 3rd November the electoral headquarters of Rasul Guliyev were damaged. Mr Jalaloglu added that the complaints that the opposition leaders sent to the CEC were not taken into consideration. He stated that the CEC frequently violated election law. The Chairman of the Democratic Party went on to underline that if the elections were free and fair, the Azadliq bloc would win, because according to their surveys seven out ten people declared they would vote for the Azadliq bloc.

New Idea (YES)

Mr Etibar Mamedov, Former-Chairman of the Azerbaijan National Independence Party, emphasized that the media is not independent in Azerbaijan. The Government controls all the private channels, he said. As for the legislation for elections, Mr Mamedov stressed that the amendments to the election code and the decrees of the president are positive developments in the electoral process, but unfortunately the implementation is deficient. Mr Mamedov stated that if the authorities continue to interfere on Election Day, as they did during the electoral campaign, the results of the elections will be doubtful.

Mr Eldar Namazov, Candidate and Co-Founder of the Yes Bloc, conceded that the process of candidate registration was conducted in conformity with the electoral law. He stated that the withdrawal of so many candidates is explained by the harassment on the part of the government. Mr Namazov explained that his campaign staff had conducted public opinion polls in his constituency which had shown that 60% of electors would vote for him.

Mr Namazov argued that the YES bloc is not looking for a revolution, but rather for democratic changes. If the ruling party offers a democratic environment on Election Day, the candidates from the YES bloc will congratulate the government. In case of fraud, the YES party will call on the population to demonstrate peacefully against a falsified result.

Mr Namazov briefly outlined the political platform of the YES bloc. He explained that balancing the state forces, by limiting the powers of the president, is one of the YES bloc's priorities. Organising transparent presidential elections will be one of the objectives of the members of this political bloc. The fight against corruption and the creation of a middle class in Azerbaijan are also targets of great importance to YES.

Mr Ali Akhmedov, Executive Secretary of New Azerbaijan Party, did not attend the meeting.

Saturday, 4 November 2005

In the morning the delegation met with representatives of NGOs and the media. The constraints that civil society groups and the media faced during the campaign period were emphasized. The case of ANS (a private TV channel) was presented in detail.

4. Activities of the delegation during the electoral phase

Saturday, 5 November 2005

4.1. Deployment

The four teams of the delegation left for their deployment areas on Saturday morning and afternoon. The delegation observed elections in four locations:

- Mrs Marie Anne ISLER BÉGUIN and Mr Charles TANNOCK in Baku,
- Mr Tadeusz ZWIEFKA and Mr Saïd EL KHADRAOUI travelled to Ganja, the second largest city in Azerbaijan,
- Mrs Mary HONEYBALL went to Salyan, an area of refugee camps,
- Baroness Emma NICHOLSON of WINTERBOURNE and Mr Libor ROUCEK travelled to Nakhchivan, an autonomous republic within the Republic of Azerbaijan.

Sunday, 6 November 2005

4.2. Election Day

The general assessment of the delegation, after observing about 50 polling stations in four different areas, was that the voting day was calm, with no major incidents identified. According to the delegation's observations, no apparent form of intimidation was noticed either inside or around the polling stations. No campaign activities took place in the immediate surroundings of the polling stations and no campaign materials were seen inside the polling stations. In some cases, generally where the polling stations were located in schools, pictures of the president and the ex-president were present.

On the whole, the Precinct Commissions followed the rules and the voters were generally aware of voting procedures. Still, some cases of voters voting in groups (family voting) were reported, and one attempt to influence the voters was noted. The process was not hampered by overcrowding or disorganisation, a fact that is, according to local sources, an improvement on previous elections, when there was constant congestion within polling stations. The identification of electors (passport or identity cards and voting cards) did not raise any problems.

In all of the polling stations visited by the four teams, the necessary election materials were present. The equipment needed for finger-inking was also present in all of the polling stations in the different areas visited by the delegation, which was impressive considering the decision on this matter was only taken on the 25th October. However, at the beginning of the vote a certain number of problems were noted concerning the inking.

In some cases, the observers noted that the ballot boxes were not properly sealed.

Three of the four teams reported that the counting was carried out correctly. In these cases the counting procedures were respected and no irregularities were noticed. For the case where the counting was evaluated as imprecise, the team could not confirm whether the ballot papers were valid and attributed correctly to the candidates. A lack of coordination in the evaluation of spoiled ballots was also noted. At the same time, none of the EP teams have the opportunity to

assist at the final signature of the protocols and to follow the transmission of Protocols from Precinct Electoral Commission to the Constituency Electoral Commission.

These findings are specifically those of the members of the European Parliament delegation. A full summary of the findings of the Election Observation Mission is in the joint statement which is appended to this document.

Conclusions

The members of the Delegation noted that the elections were held in an atmosphere of calm. However, the long-term observers from the Council of Europe and from the OSCE following the preparation of the pre-electoral campaigns in Azerbaijan insisted throughout their briefing notes on the facts of inequality and of violence during this period.

Despite the fact that two presidential decrees permitted the registering of a large number of candidates (2063), the delegation stresses its concern at the massive last minute withdrawal of about 500 independent candidates.

Domestic and foreign observers enjoyed unrestricted access to polling stations.

The European Parliament delegation welcomes the efforts to organise exit polls on the Election Day and acknowledges the intention of the President to contribute to the fairness of the election process through the provision for conducting exit polls. Despite the fact that the European Parliament delegation noted the efforts to organise the election day in the polling stations, the exit polls contributed to some confusion for a number of persons.

However, the European Parliament's observers noticed a lack of coordination among the three organisations involved (Agency for International Development (USAID) Saar Poll, and Mitofsky International).

In general, although this was a positive initiative, there are circumstances where, as may have been the case in Azerbaijan, voters can be confused on the relatively new principle of the secrecy of the vote, if they are questioned on their options immediately after voting. At the same time, voters may not express their choices fairly because of a general fear of the authorities.

The delegation of the European Parliament strongly advised the Central Election Commission to start the necessary investigations about the complaints that have been registered, and where appropriate to order a re-run of the elections in those constituencies where gross violations have occurred. The members of the delegation closely followed post-electoral developments in Azerbaijan.

On and after Election Day, more than 1,000 complaints were registered at the Central Election Commission. Consequently, the Constitutional Court and the Constituency Election Commissions cancelled results of Polling Stations in 87 constituencies.

The European Parliament delegation also called on the Azerbaijani authorities to allow legitimate and peaceful protests conducted by the opposition in an orderly fashion if requested by them.

The delegation expresses its regrets with regard to the invalidation by the Central Election Commission of the results only in 10 out of 125 constituencies. Re-run elections in these constituencies were held on the 13th May 2006. The European Parliament did not participate in the observation of the re-run.

The Parliamentary Assembly of the Council of Europe (PACE) and OSCE/ODIHR observed the re-run on the 13 May 2006. The statements of these organisations are to be found in the annex.

Following Election Day, PACE concluded that there was some progress in the conduct of the elections and mentioned that the conduct of the re-run of these elections should be seen in the context of the elections of 6 November 2005.

OSCE/ODIHR stressed in its statement that the partial repeat of the parliamentary elections underscores the continuing need for electoral reform.

The delegation issued the following recommendations:

- Voter's registration should be reviewed and the process of delivering voter cards should follow the same rules in all the districts.
- There should be no harassment of opposition candidates, campaign staff and the media.
- The composition of the central election commission should be more balanced to correct its current tendency of favouring the ruling party.
- The Azerbaijani authorities should allow legitimate and peaceful rallies by the opposition provided requests are made and they are conducted in an orderly fashion. Freedom of assembly should be respected.
- The final signatures of the protocols and the verification of the ballots should be opened for observation.

Results

Following the 6 November elections, the Parliament of Azerbaijan had 115 elected members out of 125. The composition of Parliament was the following: 56 members - New Azerbaijan Party (YAP - ruling party), 40 members - non-attached, 5 members - Musavat Party, 2 members - Ana Vatan, 2 members - Civil Solidarity Party, 1 member from each of the following: Umid Party, Social Prosperity Party, Popular Front of Azerbaijan Party, Azerbaijan Democratic Reforms Party, Whole Azerbaijan Popular Front, Great Creation Party, Civic Unity Party, and 3 members who did not mention their affiliation.*

* candidate affiliation as provided by the Central Election Commission
DV/623667EN.doc

INTERNATIONAL ELECTION OBSERVATION MISSION

PRESS RELEASE

Elections in Azerbaijan did not meet international standards despite some improvements

BAKU, 7 November 2005 – The 6 November parliamentary elections in Azerbaijan did not meet a number of OSCE commitments and Council of Europe standards for democratic elections. While there were improvements in some respects during the pre-election period, uncertainty was evident with regard to key aspects of the process such as voter registration, and continued restrictions on the freedom of assembly, a fundamental right, marred the campaign period.

Voting was generally calm, but the Election Day process deteriorated progressively during the counting and, in particular, the tabulation of the votes, concluded the International Election Observation Mission in a preliminary statement released today in Baku. The mission deployed 665 observers from 42 countries for the election, visiting more than half of all polling stations in the country.

“The shortcomings that were observed, particularly during Election Day, have led us to conclude that the elections did not meet Azerbaijan’s international commitments on elections. It pains me to report that progress noted in the pre-election period was undermined by significant deficiencies in the count”, said Alcee L. Hastings, President of the OSCE Parliamentary Assembly and the Special Coordinator for the short-term observers.

Despite an inclusive candidate registration, which provided for a competitive election in most constituencies and enhanced voter choice, interference from executive authorities and media bias favoring incumbents resulted in a failure to provide equitable conditions for all candidates during the campaign period. At times, civil and political rights were infringed upon and there was harassment and intimidation of some candidates and their supporters. The complaints and appeals process overall did not provide redress for these shortcomings.

The Head of the delegation from the Parliamentary Assembly of the Council of Europe, Leo PLATVOET, said: “The Council of Europe is the guardian *par excellence* of democratic principles. These were not fully respected in this election.”

Shortcomings of the elections included interference of local authorities, disproportionate use of force to thwart rallies, arbitrary detentions, restrictive interpretations of campaign provisions, unbalanced composition of election commissions and the failure of those commissions to effectively address a number of issues.

Improvements were noted regarding allocation of free airtime on state-funded media to candidates, the possibility to hold numerous rallies, inking of voters' fingers to prevent fraud, a voter education campaign, distribution of new identification documents, the reinstating of a candidate who was wrongfully denied registration and transparency in the work of many election commissions.

Marie Anne ISLER BÉGUIN, Head of the European Parliament delegation added: "I welcome the inking of voters' fingers for this election, which despite the late decision to introduce this measure, was a credible attempt to guard against possible multiple voting."

"The role of domestic observers is crucial in any election in order to promote transparency and increase confidence in the voting process", said Michael CLAPHAM, Head of the NATO Parliamentary Assembly delegation. "It was encouraging to see so many local observers present in polling stations but this was undermined by consistent reports that many faced problems, including intimidation, being expelled from polling stations and not receiving protocols and other information."

On Election Day, observers assessed voting negatively in 13 per cent of polling stations visited. Observers witnessed attempts to influence voter choices, unauthorized persons interfering in, or directing, the process, as well as cases of ballot stuffing. Inking procedures, in particular the checking of voters' fingers for traces of ink, were not followed in 11 per cent of polling stations visited, with several polling stations not applying the procedure at all. There were observations of domestic observers and even members of polling station commissions being expelled from polling stations.

The observers assessed the ballot counting as bad or very bad in 43 per cent of counts observed. They noted a wide range of serious violations, including tampering with result protocols, intimidation of observers, and unauthorized persons directing the process.

Ambassador Geert-Hinrich AHRENS, Head of the OSCE/ODIHR's long-term observation mission, concluded: "Having read the presidential decree of 11 May, I had very much hoped for a better election and consequently a more positive assessment of the International Election Observation Mission. Unfortunately, the results of our observation made this impossible."

A final report will be released approximately six weeks after the completion of the electoral process.

For further information contact:

Urdur Gunnarsdottir, OSCE/ODIHR: +48 603 683 122, +994 50 393 6988, urdur.gunnarsdottir@odihr.pl

Andreas Baker, OSCE Parliamentary Assembly: +45 6010 8030, +994 50 587 0553, andreas.baker@oscepa.dk

Angus Macdonald, Council of Europe Parliamentary Assembly: +33 630 496 820, +994 50 574 9058 Angus.Macdonald@coe.int

Thomas Grunert, European Parliament: +32 475 35 1948, tgrunert@europarl.eu.int

Roberta Calorio, NATO Parliamentary Assembly: +32 2 513 2865, rcalorio@nato-pa.int

EUROPEAN PARLIAMENT

DELEGATION TO AZERBAIJAN

PARLIAMENTARY ELECTIONS

3 - 8 November 2005

Members of the Delegation

Members:

Mrs Marie Anne ISLER BÉGUIN, <i>Chair</i>	Verts/A LE	France	Environment, Public Health and Food Safety
Dr Charles TANNOCK	EPP-ED	United Kingdom	Foreign Affairs
Mr Tadeusz ZWIEFKA	EPP-ED	Poland	Legal Affairs
Mr Saïd EL KHADRAOUI	PES	Belgium	Transport and Tourism
Mrs Mary HONEYBALL	PES	United Kingdom	Culture and Education; Women's Rights and Gender Equality
Mr Libor ROUČEK	PES	Czech Republic	Foreign Affairs
Baroness NICHOLSON OF WINTERBOURNE	ALDE	United Kingdom	Foreign Affairs

Secretariat of the Delegation:

Mr Thomas GRUNERT (Germany), Head of Unit responsible for the delegation

Mrs Adriana BUCHIU (Romania), Administrator

Mrs Elke SCHMUTTERER (Germany), Assistant/Secretary

Secretariat of the Political Groups:

Mrs Majella McCONE, Group of the European Socialists

Mr Paolo BERGAMASCHI, Group of the Greens/European Free Alliance

Interpreter:

Mr Kamran AKHMEDOV, (Azeri - English)

Mrs Chahla AGALAROVA, (Azeri - English/French)

Mrs Fatima ASLAN, (Azeri - English)

Mrs Mehriban VAN DE GRIENDT, (Azeri - English)

Others:

Mrs Anna POSLUSZNA, assistant/interpreter Mr Zwiefka

Abbreviations :

EPP-ED	European People's Party/European Democrats	GUE/NGL	European United Left/Nordic Green
PES	Party of European Socialists	Left	
ELDR	Liberal, Democrat and Reform Party	UEN	Union for Europe of the Nations
Verts/ALE	Greens/European Free Alliance	NI	Non-attached
		EDD	Europe of Democracies and Diversities

21 October 2005

TG/ES



EUROPEAN PARLIAMENT

Election Observation Mission to Azerbaijan PARLIAMENTARY ELECTIONS

3 - 8 November 2005

FINAL PROGRAMME

Coordination:

Mr Thomas GRUNERT
Brussels, ATR 08K029
Tel: (32 2) 284 37 43

Mrs Adriana BUCHIU-DRAGHICENOIU
Brussels, ATR 03K058
Tel. (32 2) 283 24 27

Mrs Elke SCHMUTTERER
Brussels, ATR 08K016
Tel. (32 2) 284 39 31

Fax: (32 2) 284 68 30

Mobile during the mission:
+32-475-351948
+32-496-599469

Thursday, 3 November 2005

Arrival of members of the European Parliament delegation at Heydar Aliyev International Airport and transfer to (*arranged by the British Embassy in Baku*)

Hotel Hyatt Park
Izmir street 1033, Baku AZ1065
Tel. (+994 12) 4961234/901234; Fax (+994 12) 4961235/901235
Credit cards: VISA, American Express, Mastercard, Diners Club

Friday, 4 November 2005

- 9h00 Meeting of the Secretariat of the EP, Council of Europe, OSCE and OSCE/ODIHR
Venue: Hotel Hyatt Park
- 10h00-11h00 Meeting of the Heads of Delegations
Venue: Hotel Hyatt Park
- 12h00-13h45 Briefing hosted H.E. Mr Laurie BRISTOW, British Ambassador to the Republic of Azerbaijan with EU Ambassadors and the Europa House (*a light lunch will be offered by the Ambassador*)
Venue: Ambassador's Residence, 45 Khagani Street, Baku

13h45 Handover of materials and accreditation cards

14h00-20h00

Joint briefing/meetings organised by the OSCE/ODIHR - see annex
Venue: Hotel Hyatt, Conference Centre, GUBA Ballroom

Simultaneous interpretation:
ENG, FRA, RUS

13:30-14:00 Registration, Accreditations and Handover of Material

14:00 Welcome
Greeting and Introduction of Speakers

President Alcee L. Hastings
Head of the OSCE Parliamentary Assembly Observer
Delegation
Special Coordinator of the
OSCE Chairman-in-Office

Ambassador Geert-Hinrich Ahrens
Head of EOM

Mr Leo Platvoet
Head of Delegation
PACE

Mrs Marie Anne Isler BÉguin
Head of Delegation
European Parliament

Mr Michael Clapham
British Parliament
NATO PA

- 14:30 Briefing by International Organisations
- OSCE Presence*
Ambassador Maurizio Pavese
Head of OSCE Office in Baku
- 14:40 *CoE*
Mr Mats Lindberg, Special Representative of the CoE
Secretary General
- 14:45 **Central Election Commission**
Mr Mazahir Panahov, Chairman of the CEC
- 15:05 Department of Legislation and Legal Expertise
Office of the President
Mr Shahin Aliyev, Director
- 15:20 Coffee break
- Political Parties
- 15:40 *Azadliq*
Mr. Isa Gambar, Chairman
Musavat Party
- 16:00 Mr Ali Kerimli, Chairman
Azerbaijan Popular Front Party
- 16:20 Mr Sardar Jalaloglu, Chairman
Azerbaijan Democratic Party (ADP)
- 16:40 YES
Mr Etibar Mamedov, Ex-Chairman
Azerbaijan National Independence Party (ANIP)
- 17:00 Mr Eldar Namazov, Candidate
Co-Founder of YES-Block
- 17:20 YAP
Mr Ali Akhmedov, Chairman
Yeni Azerbaijan Party (*didn't attend*)
- 17:40 Coffee break
- 18:00 Overview of Parliamentary Elections and Political
Context

Ambassador **Geert Ahrens**, Head of EOM

18:10 Electoral System
Methodology of Observation
Mr Harald Jepsen, Deputy Head of EOM

18:20 Political background
Ms Raphaelle Mathey, Political Analyst

18:45 Legal background and the election law
Mr Edward Soden-Bird, Legal Analyst

18:55 Election administration, voting and counting
procedures
Mr Riccardo Chelleri, Election Analyst

19:15 Gender issues
Ms Edeltraud Gatterer, Gender Expert

19:20 Deployment and logistics
Ms Kerstin Dokter, LTO Co-ordinator
Ms Tiina Ehrnrooth, PA Liaison Officer
Mr Robert Lech, Logistics Officer
Ms Malgosia Falecka, Finance Officer

19:40 Security Briefing
Mr Emil Pyrich, Security Officer

19:50 Questions

20:00 End of Briefing

20h30 Visit of the Old City of Baku

Evening Dinner (private arrangements)

Saturday, 5 November 2005

9h00-12h30

***Joint briefing/meetings organised by the OSCE/ODIHR - see annex
Venue: Hotel Hyatt, Conference Centre, GUBA Ballroom***

Simultaneous interpretation:
ENG, FRA, RUS

- 9:00 Political Parties
Mr Avaz Tamirkhan, Deputy Chairperson
Liberal Party
(instead of Ms Lala Shovket)
- 9:20 Mr Asim Mollazadeh, Chairman
Democratic Reform Party
- 9:40 Non Party/Independent Candidates
Mr Ilgar Mamedov
- 10:00 Mr Sabit Bagirov
(did not attend)
- 10:20 Mr Dadash Alishov
- 10:40 Coffee Break
- 10:55 Role of Media in the 2005 Elections
Panel discussion with media analysts and journalists
- Mr Rasto Kuzel, Chairman
Media Analyst
- Mr Ismail Omarov, Head of Public TV
- Mr Seyfulla Mustafayev, Vice-president of ANS TV
- Ms Rushana Huseynova, Chief editor of Bakinskiye
Vedomosti daily
(widow of Elmar Huseynov)
- Mr Aynulla Fatullayev, Chief editor of Realni Azerbaijan
- Mr Arif Aliyev, Chief editor of Gun Newspaper
- 11:50 NGOs
- Mr Anar Mammadli, Election Monitoring Center (EMC)

- 12:00 Mr Eldar Zeynalov, Azerbaijan Human Right Centre
- 12:10 Ms Matilda Bogner, Human Rights Watch
- 12:20 Mr Daniel Blessington, IFES
- 12:30 End of briefing
-
- 11h30 Departure to the airport for Baroness NICHOLSON, Mr ROUCEK, Mrs BUCHIU for flight to Nakhichevan
- 12h30 Briefing for the teams deployed in and around Baku
- 14h00 Departure of Mr EL KHADRAOUI, Mr ZWIEFA + interpreter Mr Kamran AKHMEDOV to Ganja (6 hours journey)
- 15h00 Departure of Mrs HONEYBALL and Mrs MCCONE + interpreter Mrs Mehriban VAN DE GRIENDT to Salyan (2 hours drive)
- 18h00 Meeting of the Secretariats of the delegations
Venue: Hotel Hyatt Regency
- 20h00 Dinner hosted by **Mrs Marie Anne ISLER BÉGUIN**, Chair of the EP Election Observation Mission to Azerbaijan, with the Heads of Delegations, ODIHR representatives and HOM/EOM representatives
Venue: Karvansara Restaurant, Icherisheher, Qala str. 11, Baku

Sunday, 6 November 2005

ELECTION DAY

- Monitoring of voting in different areas:

Group 1 (BAKU): Mrs Isler Béguin, Mr Grunert, Mrs Schmutterer
+ interpreter Mrs Chahla Agalarova
(Departure: 6h30)

Group 2 (BAKU): Mr Tannock, Mr Bergamaschi
+ interpreter Mrs Fatima Aslan
(Departure: 8h30)

Group 3 (GANJA): Mr El Khadraoui, Mr Zwiefka, Mrs Posluszna
+ interpreter Mr Kamran Akhmedov
(Departure: Saturday p.m. - Return: Monday a.m.)

Group 4 (SALYAN):
Mrs Honeyball, Mrs McCone

+ interpreter Mrs Mehriban Van De Griendt
(Departure: Saturday p.m. - Return: Sunday p.m.)

Group 5 (NAKHICHEVAN):

Baroness Nicholson of Winterbourne, Mr Roucek, Mrs Buchiu

- 16h00 Meeting of the EP Delegation
Venue: Hotel Hyatt Park, Baku
- 17h00 Meeting of the Heads of the Delegations of the OSCE PA, PACE, EP, NATO PA
and OSCE/ODIHR
Venue: ODIHR Office Baku
- 18h15 Departure for the observation of the closing of the polling station
- 23h00 Return to hotel
- 23h30 Return of Mrs Honeyball, Mrs McCone from Salyan

Monday, 7 November 2005

- 9h00 Assessment of elections:
Debriefing with EU Ambassador and EuropaHouse
Venue: EuropaHouse, Baku
- 10h30 Debriefing of the Heads of the Delegations of the OSCE PA, PACE, EP, NATO PA
and OSCE/ODIHR
Venue: ODIHR Office Baku
- 12h00 Meeting with Mr Elmar MAMMADYAROV, Minister of Foreign Affairs of the
Republic of Azerbaijan
Venue: Ministry of Foreign Affairs
- 13h00 Return of Mr El Khadraoui, Mr Zwiefka, Mrs Posluszna from Ganja
- 14h30 Debriefing and assessment of elections of the EP Delegation
Venue: Hotel Hyatt Park
- 15h30 Final discussion on the joint statement / Heads of the Delegations only
Venue: Hotel Hyatt Regency
- 16h00 Joint Press Conference
Venue: Hotel Hyatt, Guba Room
- 17h00 Return of Baroness Nicholson of Winterbourne, Mr Roucek, Mrs Buchiu from Nakhichevan

17h30 Further debriefing and assessment of elections of EP Delegation
Venue: Hotel Hyatt Park

18h00 Finalisation of administrative procedures and discussion on future cooperation
between the different Secretariats (Secretariat only)
Venue: Hotel Hyatt Regency

Tuesday, 8 November 2005

Departure of the delegation

Azerbaijan election partial re-run: progress in conduct of voting during election day

Baku, 14.05.2006 - Based on its observations during the partial re-run of the Parliamentary elections in Azerbaijan on 13 May 2006 the 20-member ad hoc Committee of the Parliamentary Assembly of the Council of Europe to observe these elections, chaired by Leo Platvoet (Netherlands, UEL), concluded that there was progress in the conduct of voting during election day for the partial re-run of the Parliamentary elections in Azerbaijan on 13 May 2006.

In line with the November elections the conduct of the candidate registration process was inclusive. The ad hoc Committee regrets the decision of certain opposition parties to boycott these elections and not to field candidates. This denies the electorate the fullest pluralistic choice.

The electoral campaign for the partial re-run of these elections was generally low key and took place without the incidents that marred the November elections. This is a welcome development, albeit in far less demanding circumstances than during the elections on 6 November 2005.

On election day the vote was conducted in a generally well organised and professional manner. The ad hoc Committee in this respect especially welcomes that the procedures for the inking of the voters' fingers, an important mechanism to prevent multiple voting, were well implemented in the majority of the polling stations. From the observations on election day the accuracy of the voters' list for these elections seems to have been significantly improved. Only very few voters could not find their names on the voters' lists and the majority of these cases were satisfactorily resolved with an order from the Courts.

Social and economic power supported by local executive authorities may have led to undue influence on voters.

The ad hoc Committee was not of a sufficient size to make a comprehensive assessment of the vote count and tabulation processes. It expresses the hope that irregularities with the tabulation and protocols, as witnessed during the November elections, will not take place.

The partial re-run of the Parliamentary elections took place in 10 constituencies where electoral fraud was officially recognised to have changed the outcome of the elections on 6 November 2005. However it should be stressed that the results of the November elections in a significant number of other constituencies can also be questioned. The conduct of these re-run elections should therefore be seen in the context of the elections of 6 November 2005. Progress by the Azerbaijani authorities on the improvement of electoral processes, as demanded by the Assembly when it adopted Resolution 1480 at its January 2006 part-session, should therefore be an integral part of the assessment of these elections.

The pre-electoral mission of the Assembly that visited Azerbaijan on 27 and 28 April 2006 was concerned with the lack of signs of democratic progress in the run-up of these elections. However, the ad hoc Committee welcomes that some positive developments have taken place since the visit of the pre-electoral delegation.

The reform of the electoral code is a crucial pre-requisite for elections in Azerbaijan to take place according to Council of Europe standards and commitments. In a welcome development the Presidential administration has requested, albeit at a late stage, the assistance of the Venice Commission with the reform of the electoral code of Azerbaijan. However, this request for assistance should be followed in the coming months by the actual implementation of the recommendations of the Venice Commission as proof of Azerbaijan's genuine commitment to democratic reform.

The provisions for the composition of the election commissions in the Electoral Law should be amended in order to ensure an election administration that has the full confidence of the electorate and all electoral

stakeholders. In addition, the authorities should ask for the assistance of the Venice Commission in further developing the procedure for an efficient handling of election-related complaints and appeals.

The Law on Freedom of Assembly continues to give disproportional discretion to local executive authorities in agreeing to accept requests for campaign activities and their venues. This undermines the principle of freedom of assembly which is an essential component of a democratic society. The Law on Freedom of Assembly should therefore be amended as part of the requested co-operation with the Venice Commission.

Elections are an essential part of a democratic society based on the rule of law. The authorities should ensure the development of a genuinely democratic society in Azerbaijan based on the rule of law in line with the commitments it subscribed to when joining the Council of Europe.

The Monitoring Committee of the Parliamentary Assembly will submit a report to the June part-session of the Assembly on the progress made by Azerbaijan to the demands made by the Assembly in Resolution 1480 (2006)

Parliamentary Assembly Communication Unit

Tel: +33 3 88 41 31 93

Fax :+33 3 90 21 41 34

pace.com@coe.int

www.coe.int/press



**OSCE Office for Democratic Institutions and Human Rights
Limited Election Observation Mission
Partial Repeat Parliamentary Elections
Republic of Azerbaijan**

**Partial repeat parliamentary elections in Azerbaijan underscore
continuing need for electoral reform**

WARSAW/BAKU, 15 May 2006 – While the partial repeat parliamentary elections in the Republic of Azerbaijan on 13 May reflected improvement in some aspects of the process, a Limited Election Observation Mission (LEOM) from the OSCE Office for Democratic Institutions and Human Rights, ODIHR, noted issues of continued concern that underscore the need for ongoing electoral reform.

The OSCE/ODIHR mission followed the partial repeat elections held in 10 of the 125 parliamentary constituencies on 13 May 2006. The mission, headed by Ambassador Geert Ahrens, was established on 20 April and consists of six election experts and seven long-term observers. Following the comprehensive OSCE/ODIHR Election Observation Mission to the 6 November 2005 parliamentary elections, the LEOM has focused on observation of the campaign environment, the work of the election administration, and the functioning of the complaints and appeals procedure.

On election day, the OSCE/ODIHR LEOM did not deploy additional short-term observers. The mission observed voting procedures and the counting of the votes in a limited number of polling stations. The mission also observed the tabulation of results in six constituencies. The OSCE Parliamentary Assembly sent a small delegation, headed by Mr. Joao Soares, to observe on election day.

The OSCE/ODIHR mission found that while the repeat election process reflected some improvements, such as an inclusive candidate registration, a largely unimpeded campaign, and increased opportunities for participation of domestic observers, there were several issues of concern. These issues included the composition of election commissions, instances of interference by local authorities in the election process, and the handling of complaints and appeals by election commissions and courts.

The mission noted a number of irregularities in the conduct of the voting, counting and tabulation processes; however, in a welcome step towards increased transparency, the Central Election Commission posted result protocols by polling stations on its website on the morning after the election.

The overall OSCE/ODIHR assessment of the parliamentary elections is contained in its Final Report issued on 1 February 2006. The Final Report concluded that the parliamentary elections did not meet a number of OSCE commitments and other international standards for democratic elections. The report offers a number of recommendations for improving the conduct of elections in the Republic of Azerbaijan.

The findings on the limited observation of the partial repeat elections will be included in an annex to the OSCE/ODIHR Final Report, to be issued approximately four weeks after the conclusion of the election process. The OSCE/ODIHR remains ready to support the efforts of the authorities and civil society of Azerbaijan to conduct elections in line with OSCE commitments and to continue to co-operate with them, especially with regard to the recommendations in the Final Report.