

# Press Release

## Parliamentary Assembly Communication Unit

Ref: 277a06

Tel: +33 3 88 41 31 93

Fax :+33 3 90 21 41 34

pace.com@coe.int

internet: www.coe.int/press



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### 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

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The Parliamentary Assembly brings together 315 members from the national parliaments of the 46 member states.

President: René van der Linden (Netherlands, EPP/CD); Secretary General of the Assembly: Mateo Sorinas.

Political Groups: SOC (Socialist Group); EPP/CD (Group of the European People's Party); ALDE (Alliance of Liberals and Democrats for Europe); EDG (European Democratic Group); UEL (Group of the Unified European Left).

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)

**Contact:** Bas Klein, mobile in Azerbaijan +33 662 265 489, E-mail: [bas.klein@coe.int](mailto:bas.klein@coe.int)