



**Second Interim Report**  
Of the Election Monitoring and Democracy Studies Center  
On the Pre-election Campaign Period  
9 February 2020 early Parliamentary Elections  
(17 January – 5 February)

**I. Executive Summary**

Election Monitoring and Democracy Studies Center (EMDS hereinafter) has carried out long-term observation of 9 February 2020 early Parliamentary Elections in two stages: nomination and registration of the candidates and the pre-election agitation campaign. First interim report on the results of the monitoring in the first stage (9 December 2019 – 16 January 2020) was published on 17 January 2020.<sup>1</sup> This report has been based on the results of the monitoring from the pre-election campaign period.

EMDS has reviewed the stages of the 9 February 2020 early Parliamentary elections based on the inputs of 18 well-trained long-term observers and the current report includes contributions across 80 election constituencies over 20 days (17 January – 5 February).

EMDS believes that while evaluating the 9 February 2020 Parliamentary elections each component of the electoral period – pre-electoral political environment, legal framework, free participation in the elections, nomination and registration of the candidates, the organization of the pre-election agitation, voting and counting processes must be carefully studied and the relevant provisions of Constitution of the Azerbaijan must be referred to alongside of the international obligations of the Azerbaijan.

EMDS notes with regret that no advancement has been observed in terms of democratization of the political environment, enjoyment level of the freedom of speech, peaceful assembly and association both prior to and during the pre-election agitation campaign of the 9 February 2020 early Parliamentary elections. There have been cases of pressure applied against the civil society and political activists, candidates and their relatives in both stages of the Parliamentary elections. The government failed to demonstrate the political will to release more than 100 people who are in jail with politically motivated charges as a result of increased political repression over the last few years.<sup>2</sup>

Noting with pleasure, EMDS compares the current elections with the last 2015 Parliamentary elections and mentions that there is significantly increased public interest for political activeness, discussions and for the entire electoral processes. Despite, no free airtime has been allocated by any of the publicly funded TVs to present the political platforms of candidates, parties and organizations or to cover the discussion of nationwide problems for

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<sup>1</sup> First Interim Report of the EMDS: <https://smdtaz.org/en/emds-issued-the-interim-report-on-the-9-february-2020-early-parliamentary-elections-in-azerbaijan/>

<sup>2</sup> The Working Group on Unified List of Political Prisoners presents updated list: <https://smdtaz.org/en/the-working-group-on-unified-list-of-political-prisoners-presents-updated-list-4/>

the public. Thus, TVs including the ‘Ictimai TV’ (Public Television and Radio Broadcasting Company (ITV hereinafter)) failed to comply with their obligations before the public to inform the voters on the views and positions of the candidates and provide the public with increased opportunities to elect among the confronting candidates.

During the pre-election agitation campaign, the long-term observers have observed cases of the abuse of administrative resources by local executive authorities in favour of some candidates in the organization of the meetings with voters. Moreover, meetings of the opposition candidates with voters have been accompanied by pressure and interference from authorities.

Long-term observers have noted that the agitation campaign materials being damaged in 46 Constituency Election Commissions (ConEC hereinafter), voters being forcefully brought to the meetings with pro-government candidates by the local executive authorities in 63 ConECs, unsuitably arranged open and closed venues for the meetings with voters in 27 ConECs.

EMDS notes that authentic political competition among candidates was not observed in 1/3 of the election constituencies while the absence of public debates among confronting political forces and the free airtime and generally indifferent attitude by TVs towards election processes prevented the agitation campaign to be conducted on a nationwide level.

EMDS hopes for an objective and independent administration by the election commissions during 9 February 2020 parliamentary election day to conduct the voting and counting processes in an established order and to prevent, especially, the representatives of local executive authorities’ interference with elections.

## **II. Introduction**

This report is based on the results of the long-term observation of the 9 February 2020 Parliamentary elections by the EMDS. Previously, a first interim report on the results of the monitoring in the stage of nomination and registration of candidates was published on 17 January 2020.<sup>3</sup> The current report includes observation results on meetings, some political events and the activities of election commissions happened during the agitation campaign with the help of 18 well-trained volunteer long-term observers. Alongside the inputs from the observers, EMDS has reviewed the information received from the direct communication with election commission members, political parties, candidates and their representatives and contacted them to clarify details when necessary as well.

EMDS carries out both long and short-term observation of the 9 February Parliamentary elections. Long-term observers have been deployed since the official start of the election process and the observation will last until the official publication of the election results. The reports of the long-term observers are received based on a special online survey form on a weekly basis. Overall, long-term observers have been reporting over 7 weeks across 80 election constituencies and 53 administrative territorial units.

EMDS will conduct the short-term observation of the election during the election day with the help of specially trained observers, who registered themselves through the election

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<sup>3</sup> First Interim Report of the EMDS: <https://smdtaz.org/en/emds-issued-the-interim-report-on-the-9-february-2020-early-parliamentary-elections-in-azerbaijan/>

commissions individually, across the randomly selected polling stations out of 5442 polling stations of the country.

EMDS is a non-partisan and independent nongovernmental organization which works for holding free and fair elections and development of civil society and democratic traditions in Azerbaijan.

It should be noted that EMDS was founded on December 1, 2008, based on the Election Monitoring Center (EMC) whose registration was revoked by the Ministry of Justice. Let us remind that EMC's registration was revoked based on the court order of Khatai court upon the illegal claim of the Ministry of Justice on May 14, 2008. The founders and members of the EMC have established the EMDS after this event.

EMDS (former EMC) has carried out observation of 15 elections in Azerbaijan since 2001. EMDS has conducted more than 600 training for more than 14000 citizens and provided them with the legal and technical assistance with their accreditation through the election commissions.

EMDS is a member of the European Network of Election Monitoring Organizations (ENEMO), a platform of NGOs operating in the OSCE countries, Eastern Partnership Civil Society Platform, the European Platform for Democratic Elections (EPDE), and the Global Network of Domestic Election Monitors (GNDEM). EMDS is operating in accordance with the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations.<sup>4</sup>

### **III. Pre-Election political environment**

The restrictions brought on the enjoyment of political freedoms, including freedom of peaceful assembly and association, freedom of speech were not eliminated in the pre-election campaigning period

No attempts have been observed by political parties and citizen groups to organize protest and gatherings. Moreover, state TVs have not aired any program with the presence of opposition-minded people where a debate or generally election-related matters were discussed.

The Parliament Assembly of the Council of Europe (PACE hereinafter) discussed the reported cases of more than 100 political prisoners in Azerbaijan during its winter session on 30 January 2020. PACE has adopted a resolution based on the report of the rapporteur of the PACE on the reported cases of political prisoners in Azerbaijan – Thorhildur Sunna Ævarsdóttir.<sup>5</sup> The resolution calls Azerbaijani Government to conduct impartial and just review of the cases of people who are believed to be political prisoners on regular basis and to release those who are found to be imprisoned on politically motivated grounds, to address the issues in the judiciary system, prosecutor's office, the police, the detention system and administrative detention together to ensure to non-repetition of the politically motivated arrests and to immediately start implementing the decisions of the European Court of Human Rights which remain unimplemented despite the obligations.

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<sup>4</sup> Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, <https://gndem.org/declaration-of-global-principles/>

<sup>5</sup> Resolution 2322 (2020): Provisional version Reported cases of political prisoners in Azerbaijan, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=28584&lang=en>

The independent media outlets and the social media platforms remained as the only tribune for the opposition and independent candidates during the campaigning period. Restrictions on the access to the several independent and opposition websites which were brought in March 2017 remained unchanged. While access to the websites of the Meydan TV and Radio Free Liberty was occasionally possible, blocks on access to more than 40 websites, including of the Turan TV, Azadlig newspaper and ‘Azerbaijani Time’ program were not eliminated.

It should be noted that according to the norms the Parliament adopted in 2017, the Ministry of Transport, Communications and High Technologies holds the authority to block the access to an online information portal without a court decision.<sup>6</sup>

The campaigning period has also been accompanied by the use of administrative detention and degrading treatment of detainees as tools to punish the political activists.

Elzamin Salayev was detained on 13<sup>th</sup> January 2020 in Sabail District of capital Baku after arguing with the police officer. He was sentenced to 10 days of administrative arrest. The relatives of Salayev tell that Elzamin faced torture and degrading treatment in the detention facility.

On January 30<sup>th</sup>, Anvar Jalilov, member of the ‘Hagigat (Truth) Socialist Movement’, was detained while he was disseminating booklets calling on to boycott the upcoming elections. He was brought to the 36<sup>th</sup> police station of the Khatai District Police Department and was ordered to pay 50 AZN of fine after the protocol was issued about him committing an administrative offence.

On February 3<sup>rd</sup>, the Facebook pages of the Musavat Party and the web portal of ‘Basta’ media outlet known with a close relationship with the party was hacked and followers were deleted from the pages. The party still could not restore the work of the pages and the portal.

#### **IV. Pre-Election agitation campaign**

According to the Election Code, agitation campaign starts 23 days before the Election Day and ends when only 24 hours left until the opening of polling stations and thus lasts 22 days. The agitation campaign stage officially started on 17<sup>th</sup> January and will end on the 8<sup>th</sup> of February.

According to the Election Code, election campaigning can be conducted through the means of mass media, public events (gatherings and meetings with voters, public discussions etc.), distribution of print, audio, video and other campaign materials and any other means that are not prohibited by law<sup>7</sup>.

##### **a) Nomination and Registration of the Candidates: official results**

The number of the initially registered candidates – 1560 – started to decrease after the start of the agitation campaign. According to the Central Election Commission (CEC hereinafter), 235 people withdrew from the race which left 1325 candidates running for 125 seats across the same number of election constituencies. However, the observers have reported cases

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<sup>6</sup> Law of the Republic of Azerbaijan “On Information, informatization and protection of information, <https://www.wipo.int/edocs/lexdocs/laws/en/az/az019en.pdf>

<sup>7</sup> Election code of the Republic of Azerbaijan, article 74.2 [http://www.msk.gov.az/uploads/qanunvericilik/Election-code\\_2020.pdf](http://www.msk.gov.az/uploads/qanunvericilik/Election-code_2020.pdf)

where some candidates have withdrawn from the race under the pressure by local executive authorities.

EMDS notes that there is a significant decrease in the number of representatives of political parties in the Parliamentary elections in comparison with previous years. For instance, the Musavat party has 60 running candidates. However, only 37 of them are self-nominated members of the party. While ruling ‘New Azerbaijan Party’ (YAP hereinafter) participates in the election with the biggest number of candidates (122 candidates nominated by party) in many election constituencies the candidates of YAP did not get any support from local branches or supporters of the party.

In some election constituencies, the candidates have conducted their agitation campaign in reluctant and uninspiring manner. For instance, long-term observers have reported that 170 candidates across the 57 election constituencies have not campaigned in any way.

Overall, the registered candidates of 5 political parties (YAP, Musavat, Umid (‘Hope’), ‘Whole Azerbaijan Popular Front Party’ and ‘Citizen Solidarity Party’ (VHP hereinafter)) and 2 unofficial election blocs (‘Real Republicans’ and ‘Action’) are represented in relatively more election constituencies compared to other parties and political groups. However, unlike the previous elections, the number of self-nominated people exceeds the number of candidates nominated by political parties and unofficial blocs.<sup>8</sup>

EMDS has reviewed the election constituencies where confronting political parties and groups are competing and concludes that the agitation campaign continued more in constituency-level than nationwide where most of the constituencies lacked the genuine competition environment. In 37 ConECs, the pro-government candidates are not challenged by any opposition or independent candidates that take a critical stance on them.

#### **b) Agitation campaign through the media**

According to the Election Code, only the political parties registered in more than 60 single-mandate constituencies have the right to use free airtime on channels of publicly funded TV and radios.<sup>9</sup> Candidates of the YAP as only political party reaching such a threshold according to the official results of the stage of the nomination and registration of the candidates refused to use free air time on ‘ITV’. Most of the opposition and independent candidates consider the prices of ‘ITV’ for using airtime unaffordable, therefore, have not applied to use the opportunity.<sup>10</sup> Overall, both public and private TVs did not allocate airtime for covering the agitation campaign and only covered the meetings and official news of the CEC.

Most of the candidates, especially the opposition and independent candidates, preferred social media platforms – Facebook, YouTube and Instagram – to conduct their campaign on during the stage. Additionally, the observation of EMDS demonstrates that some pro-government candidates, especially, self-nominated ones known for a close relationship with the government also actively campaigned on social media platforms.

Generally, social media platforms have played an increasingly crucial role in bridging the candidates and voters in the campaigning period in comparison with previous years.

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<sup>8</sup> See Appendix 1

<sup>9</sup> Election Code, article 80

<sup>10</sup> Mass media which submitted information to CEC on conducting payable pre-election campaign – 2020, <http://www.msk.gov.az/en/newsmask/1103>

However, the absence of the TVs in the process negatively affected the nationwide level awareness of the agitation stage and elections as well.

### **c) Conduct of election campaigning through public events**

The CEC has allocated overall 256 venues (128 open and 128 closed) for candidates to meet with the voters during the campaigning period.<sup>11</sup>

Observers note that most of the venues allocated for meeting with voters are problematic in terms of their low capacity, remote location or general bad conditions of the premises. For instance, the ‘Culture House’, the premise for meeting with voters of 30<sup>th</sup> Surakhani ConEC in Zigh village has capacity for only 100-120 people of which the windows are broken and heating is off and generally considered as unsuitable for meetings. Most of the voters of the constituency live in the Hovsan which does not have direct means of transportation with Zigh where the meeting premise is located. Observers have noted that the venues allocated for campaign meetings were unsuitable in 27 election districts.

In some cases, the photos of the president Ilham Aliyev who is also the head of the ruling party were not removed from the closed venues allocated for meetings despite the requests of opposition and independent candidates planning their meetings. For instance, on February 2<sup>nd</sup>, during the meeting with voters in the territory of the 40<sup>th</sup> Kapaz second ConE, Ilgar Mammadov, the head of the ReAl Party, asked for the photos of the Haydar Aliyev, the founder of the ruling party and the current president Ilham Aliyev to be removed from the wall of the venue, however, the management of the venue refused to do so.

Some ConECs failed to provide a level playground for candidates in terms of using closed venues. For instance, when Tohgrul Valiyev, the candidate running from the 23<sup>rd</sup> Nasimi-Sabail ConEC asked for use of the closed venue on the 14<sup>th</sup> of January, he was told by the head of the ConEC to request on the 17<sup>th</sup> of January. However, on 17<sup>th</sup> January Toghrul asked again and was told that all the closed venues are taken by other candidates until the 25<sup>th</sup> of January.

Observers note the involvement of representatives of local executive authorities in organizing the meetings of candidates of YAP and those who are loyal to YAP with voters. For instance, on 30<sup>th</sup> January, the high school teachers from the villages of Pirili and Jayli were forcefully brought to the Youth House in Kurdamir District under instruction by the local executive authority to the meeting of voters with Amina Aghazada, running from the 57<sup>th</sup> Kurdamir ConEC.

On January 22<sup>nd</sup> similar case happened during the meeting of Huseynbala Mammadov, YAP’s candidate from the 33<sup>rd</sup> Khatai first ConEC, with voters at Baku movie theatre where employees of high schools number 17, 261, 95, kindergarten number 202 and polyclinic located in the nearby area were brought.

On January 23<sup>rd</sup>, teachers who were brought to the meeting with Sadagat Valiyeva, YAP’s candidate from the 25<sup>th</sup> Nizami second ConEC, told observers that they are unaware of the meeting and the candidate and they had come under instructions of the management of the high school they are working for.

Observers co-operating with EMDS have noted such cases in 63 election constituencies where local executive authority involved in organizing the meetings with voters in favour of

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<sup>11</sup> List of the allocated open and closed venues for the meeting with voters during the agitation campaign of the 9 February Parliamentary Elections 2020, Azerbaijan, <http://www.msk.gov.az/az/newsmsk/1106/>

some candidates by abusing the administrative resources.<sup>12</sup>

Election code outlaws the usage of administrative resources in favour of any candidate by stipulating that all candidates are equal and carry out equal obligations.<sup>13</sup> In some election constituencies, the meetings of candidates were hindered by the local executive and municipality authorities. For instance, 95<sup>th</sup> Tartar ConEC did not allow independent candidate Vugar Aliyev to meet with voters at allocated closed venue – Tartar Culture House – by telling him that he must seek for the permission of the local executive authority. On February 3<sup>rd</sup>, the head of the local municipality interfered with the meeting of Vugar Aliyev with voters in the ‘Yukhari Gapanli’ village of Tartar and voters were intimidated not to come to the meeting.

On February 4<sup>th</sup>, the officers of the Lankaran District Police Department stopped the campaign car of the Khalid Bagirov, independent candidate from the 76<sup>th</sup> Lankaran-Astara ConEC and told him that he needs special permission for the agitation campaign. Though the candidate contacted the ConEC and got approval, the driver refused to serve as the result of the intimidation.

The observation results of the EMDS demonstrates that candidates preferred door-to-door campaigning activities and held few meetings at the allocated open and closed venues during the agitation campaign. None of the political parties and blocs participating in the elections attempted to organize mass gatherings and protests during this stage.

#### **d) Election Campaigning through the Print Materials**

Candidates have mostly used two ways to disseminate print materials.

The ConECs prepared the list of the places and allocated one board in the territory of each polling station for candidate posters to be hung. In some cases, the posters were hung on private properties such as homes, shops and catering facilities with the permission of the owners. In the second group of cases, the print materials of candidates were disseminated among the voters during the mass gatherings and meetings.

EMDS monitored the cases of campaign posters being damaged or removed from the relevant information boards in 31 election constituencies. For instance, Mehriban Sadigova, candidate of the ‘Umid’ from the 28<sup>th</sup> Sabunchu third ConEC, applied to the Ministry of Internal Affairs on the campaign materials of her being damaged.

The posters of Valiyaddin Guliyev, running from the 19<sup>th</sup> Narimanov ConEC, were damaged in the 1<sup>st</sup> and 2<sup>nd</sup> polling stations at the high school number 57, 23<sup>rd</sup> and 24<sup>th</sup> polling stations at the high school number 177 and in 5<sup>th</sup> and 6<sup>th</sup> polling stations at the ‘Progress Lyceum’. Overall, observers reported cases of campaign materials being damaged in 46 election constituencies.

#### **e) Pressure against election participants**

According to the Election Code, no one can be forced to or not to participate in the election, in agitation campaign and to or not to withdraw their candidacy under intimidation<sup>14</sup> and such

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<sup>12</sup> Check Appendix 2 for: the classification of violation of laws happened during the campaigning period of the 9 February 2020 Parliamentary Elections, Azerbaijan

<sup>13</sup> Election Code, articles 55, 69

<sup>14</sup> Election Code, articles 2.6.17, 115

instances may invoke a responsibility established in law.<sup>15</sup> However, many facts were observed indicating the pressure applied against the participants, especially the candidates. Candidates' being forced to withdraw from the race by the local executive authorities is among the main instances of pressure during the agitation campaign. For instance, observers have reported 21 election constituencies where candidates were forced to withdraw their candidacies. 44 candidates have reported withdrawing from the race under the pressure of local executive authorities.

Ruhiyya Yagubova, the independent candidate from the 57<sup>th</sup> Kurdamir ConEC, was forced to withdraw her candidacy by the head of the ConEC Abulfat Mikayilov and the Kurdamir local executive power.

The representatives of the Aghsu local executive power pressured and demanded independent candidates from the 87<sup>th</sup> Aghsu-Ismayilli ConEC Kamil Hamidov, Ayaz Gojamanov and Aytan Piriyeva to withdraw the candidacies.

In some cases, the relatives of the candidates were intimidated to put pressure on the candidates themselves to withdraw from the race. Teyyub Huseynli, candidate of the National Liberty Party from 88<sup>th</sup> Goychay ConEC, said that his relatives were intimidated to make him withdraw from the race.

## **V. The Administration of Election Commissions**

The traditional shortcomings were observed in the work of the district and precinct election commissions (PEC hereinafter) during the pre-election agitation campaign.

### **a) Transparency in the work of election commissions.**

Most of the cases of shortcomings reported by observers include the lack of transparency in the work of the lower election commissions. Some commissions refused to respond to the enquiries of the observers and refused to inform them on the meetings of the commission. For instance, candidates were not informed on meetings of the commission in the 29<sup>th</sup> Sabail ConEC, even though the meetings were claimed to be held every week.

The agendas of the meetings were not displayed on information boards and observers were denied to get information on meeting agendas. Such restrictions were observed in 16<sup>th</sup> Yasamal second, 18<sup>th</sup> Narimanov-Nizami, 19<sup>th</sup> Narimanov first, 20<sup>th</sup> Narimanov, 21<sup>th</sup> Nasimi first, 22<sup>nd</sup> Nasimi second, 23<sup>rd</sup> Nasimi-Sabail, 29<sup>th</sup> Sabail, 31<sup>st</sup> Surakhani second, 33<sup>rd</sup> Khatai first, 34<sup>th</sup> Khatai second, 35<sup>th</sup> Khatai third and 88<sup>th</sup> Goychay ConECs. In many cases the authorized representatives of the candidates were denied to join or not informed beforehand on the meetings of the ConECs. Moreover, a limit has been applied to the numbers of authorized representatives to join the meetings. Observers have reported such cases across these ConECs: 21<sup>st</sup> Nasimi first, 73<sup>rd</sup> Lankaran city, 74<sup>th</sup> Lankaran village, 36<sup>th</sup> Khatai fourth, 15<sup>th</sup> Yasamal first, 9<sup>th</sup> Binagadi, 34<sup>th</sup>, Khatai second, 26<sup>th</sup> Sabunchu first, 28<sup>th</sup> Sabunchu third and 63<sup>rd</sup> Sabiarabad first ConECs.

### **b) The verification of voter lists**

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<sup>15</sup> Criminal Code of Azerbaijan, articles 159-161 and the Code of the Azerbaijan Republic on Administrative Offences, articles 164-179.



The PECs must inform the voters and prepare the list of voters for public display for additional update and verification or create necessary conditions for such display 35 days prior to the Election Day.<sup>16</sup> According to the calendar plan of the CEC, the voter lists should have been displayed on information boards since the January 5<sup>th</sup>. Though the law stipulates that the voter lists must be displayed on information boards outside the voting premises where they are easily visible and accessible in terms of transport, the place and structure of the information boards did not meet requirements of the law at some PECs.

The 4<sup>th</sup> and 11<sup>th</sup> PECs of the 16<sup>th</sup> Yasamal second ConEC are in the building of the Baku State University. But the entrance to the yard of the university is allowed only for those who can display their student IDs. Thus, the access of the voters to the voter lists is severely restricted. Similar cases were reported at PECs of the 22<sup>nd</sup> Nasimi second ConEC which are located in the building of the Azerbaijan Medical University.

Some PECs are reported not to display the voter lists on information boards. For instance, the 14<sup>th</sup> PEC of the 15<sup>th</sup> Yasamal first ConEC, 2<sup>nd</sup> PEC of the 16<sup>th</sup> Yasamal second ConEC, 30<sup>th</sup> PEC of the 31<sup>st</sup> Surakhani ConEC, 7<sup>th</sup> PEC of the 45<sup>th</sup> Absheron ConEC and some PECs of 22<sup>nd</sup> Nasimi second, 23<sup>rd</sup> Nasimi-Sabail, 29<sup>th</sup> Sabail and 110<sup>th</sup> Zagatala ConECs are among the commissions which failed to comply with legal requirements.

At some PECs, voters could not find themselves in the voters' lists. At many PECs, the names of people who are deceased or moved from Azerbaijan were still in the voter lists. Such cases have been observed across the 10<sup>th</sup> PEC of 36<sup>th</sup> Khatai fourth ConEC, 2<sup>th</sup> PEC of the 12 Garadagh-Binagadi-Yasamal ConEC, 10<sup>th</sup> PEC of the 59<sup>th</sup> Salyan ConEC, 8<sup>th</sup> PEC of the 23<sup>rd</sup> Nasimi-Sabail ConEC and some PECs of the 8<sup>th</sup> Binagadi, 99<sup>th</sup> Shamkir village ConECs.

### **c) The accreditation of the observers**

Though the CEC has performed in an operative manner in accrediting the people to submit their documents to become observers, it rejected the application of citizens who applied in a special order to observe the meetings of the CEC without providing a reasonable explanation. For instance, the Executive Director of the EMDS – Mammad Mammadzada and volunteers of EMDS – Abulfaz Gurbanli and Tural Aghayev submitted their applications to observe the meetings of the CEC. However, they got rejection to their applications. In some cases, the ConECs have prolonged the accreditation process of citizens who submitted their documents to become observers. For example, the head of the 113<sup>th</sup> Shaki city ConEC, Rahman Gadirzada, accepted the documents of, but applied political pressure against the observer and intimidated him with being fired from the workplace otherwise. Similar cases were observed in 117<sup>th</sup> Oghuz-Gabala ConEC and 81<sup>st</sup> Beylagan ConEC as well. The people applying to become observers for the 110<sup>th</sup> Zagatala ConEC were told that they will be provided with observation cards after the approval of the local executive authority. Citizens faced similar cases during the accreditation process in 58<sup>th</sup> Hajigabul-Kurdamur and 111<sup>th</sup> Zagatala-Balakan ConECs as well. Overall, the monitoring results suggest this again that the norms of accreditation through the CEC and ConECs are outdated and more advanced and modern ways are necessary for the application processes.

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<sup>16</sup> Election Code, article 48

#### d) **The investigation of complaints**

The participants of the elections may file a complaint on the decision, acts and omissions that violate their rights to the election commission in 3 days after the violation occurred and to courts after the decisions of the relevant election commissions.<sup>17</sup> Most of the complaints the ConECs received during the campaigning period were about early campaigning cases, damage to the campaign materials, the pressure of the local executive authorities to candidates and interference of them with the meeting of candidates with voters.

According to the official disclosure, the CEC reviewed 13 complaints on the breach of campaigning regulations, dismissed 5 complaints and granted 7 while it urged 3 candidates. 6 of the complaints were directed against the same candidate. Accordingly, 6 people as two of them being candidates as well, filed a complaint to the CEC by claiming that the speech of the Ahmad Shahidov, running from 112<sup>th</sup> Gakh ConEC, in front of the soldiers breached the campaigning regulations. The CEC has considered the complaints valid and urged the Ahmad Shahidov.

In another instance, on January 24<sup>th</sup>, Bakhtijar Hajiyev filed a complaint to the 29<sup>th</sup> Sabail ConEC where it claimed that the meeting of another candidate Nigar Arpadarai with the teachers of the high school number 6 was against the law. At the same time, Nigar Arpadarai filed a complaint about Bakhtijar Hajiyev claiming he violated the campaigning regulations by conducting an early agitation campaign. The ConEC urged both candidates.

The leader of the National Revival Party – Faraj Guliyev – running from the 31<sup>st</sup> Surakhani second ConEC, has suggested 15000 Azerbaijani national currency unit (AZN) to another candidate Mehman Huseynov to withdraw his candidacy. Mehman Huseynov filed a complaint to the CEC about the instance. The CEC has urged Faraj Guliyev about the incident.

## VI. **CONCLUSIONS AND RECOMMENDATIONS**

*Based on results of the monitoring of the agitation campaign stage of the parliamentary elections, EMDS has concluded:*

- The situation has not changed in the protection of political freedoms, the restriction brought on the enjoyment level of the freedom of speech, peaceful assembly and association were not eliminated and people who are imprisoned on politically motivated grounds have not been released during the election agitation campaign.
- The candidates were not provided with suitable financial conditions to use air time on publicly funded TVs, including the ITV. The discussions held on TV during the agitation campaign failed to provide conditions for political pluralism and the electoral processes were not objectively covered.

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<sup>17</sup> Election Code, article 112

- While the CEC has advanced the usage of online search and hotline to verify and update the voter lists, the intermittent working scheme of some PECs has negatively affected the verification and update of voter lists within the calendar plan.
- The process of the accreditation of domestic observers has been accompanied by restrictions and prolongations.
- Despite the increased political activeness in comparison with 2015 Parliamentary elections, nationwide level election campaigning was missing and in some election constituencies voters' opportunities were restricted in terms of lack of genuine alternative candidates
- The cases of abuse of administrative resources and the cases of interference by local executive authorities with elections were observed during the campaigning period.

*Based on the results of the monitoring of the agitation campaign stage of the parliamentary elections, EMDS has produced the following recommendations for the democratic administration of next stage of elections: the voting and counting processes during the Election Day:*

- Election commissions must provide normal conditions for voters to verify and update the voter lists without any obstacles;
- Election commissions must take necessary steps to prevent the pressure against voters, observers and representatives of candidates.
- The Government must demonstrate political will and ensure the independence and impartiality of election commissions to prevent representatives of local executive authorities and employees of publicly funded bodies to interfere with the voting and counting processes during the Election Day.
- The people who were involved in the violations of election laws during the agitation campaign must be held reliable.

EMDS Board

Baku, Azerbaijan

6 February 2020

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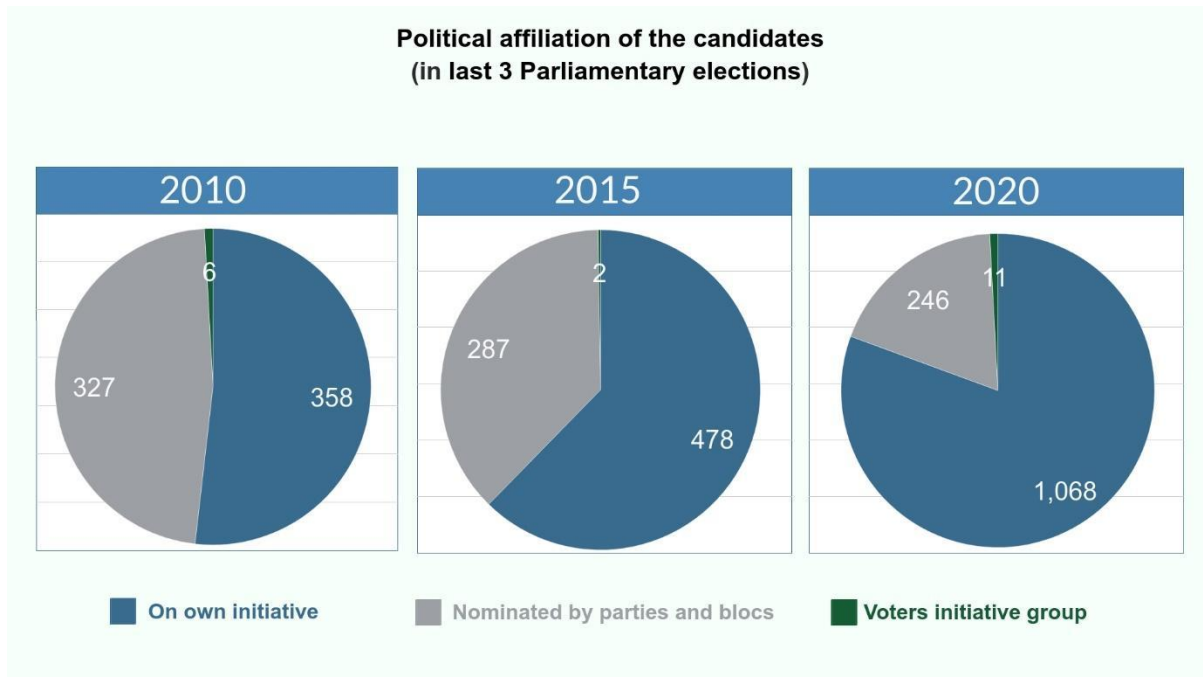
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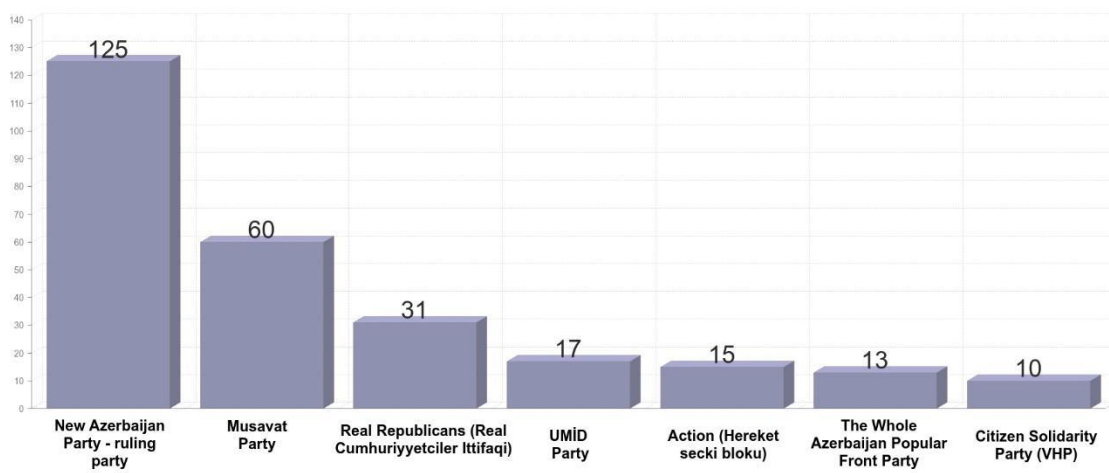
Website: [www.smdtaz.org](http://www.smdtaz.org)

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## Appendix 1



Political party and unofficial blocs nominating most of the candidates  
in 9 February Parliamentary elections



Source: information center of the Central Election Commission

Appendix 2

The Classification of the cases of violations of law

	Constituency Election Commissions	Breach of the principle of the transparency	Campaign materials were damaged	Abuse of the administrative resources	Pressure against the election participants	Shortcomings in the voter lists	Breach of the principle of the equal treatment of candidates
1	8th ConEC		✓	✓		✓	
2	9th ConEC		✓	✓			
3	10th ConEC	✓	✓	✓		✓	✓
4	11th ConEC				✓		
5	12th ConEC		✓			✓	
6	13th ConEC			✓			
7	14th ConEC		✓	✓			
8	15th ConEC		✓				
9	16th ConEC	✓	✓				
10	17th ConEC			✓	✓		
11	19th ConEC		✓				
12	20th ConEC	✓	✓			✓	
13	21th ConEC	✓		✓			
14	22th ConEC	✓	✓				
15	23th ConEC	✓	✓	✓		✓	✓
16	24th ConEC		✓	✓			
17	25th ConEC	✓	✓	✓	✓		
18	26th ConEC		✓	✓			
19	27th ConEC		✓	✓			
20	28th ConEC		✓	✓			
21	29th ConEC,	✓	✓	✓			
22	30th ConEC		✓	✓	✓		
23	31th ConEC		✓	✓		✓	

24	32th ConEC		✓		✓		
25	33th ConEC		✓	✓			✓
26	34th ConEC	✓	✓	✓	✓	✓	
27	35th ConEC		✓	✓			
28	36th ConEC		✓	✓		✓	
29	37th ConEC		✓	✓	✓	✓	✓
30	38th ConEC			✓	✓		
31	40th ConEC	✓		✓	✓	✓	✓
32	41th ConEC		✓	✓	✓		✓
33	42th ConEC		✓	✓	✓		
34	46th ConEC			✓	✓		
35	47th ConEC	✓		✓	✓		
36	48th ConEC	✓		✓			
37	53th ConEC		✓	✓	✓		✓
38	57th ConEC		✓	✓	✓		
39	58th ConEC						
40	59th ConEC			✓		✓	
41	60th ConEC				✓		
42	63th ConEC			✓			
43	65th ConEC			✓			
44	68th ConEC,		✓	✓			
45	70th ConEC		✓	✓	✓	✓	
46	71th ConEC	✓	✓	✓	✓	✓	
47	72th ConEC	✓	✓	✓	✓	✓	
48	73th ConEC	✓	✓	✓		✓	
49	74th ConEC	✓		✓		✓	
50	75th ConEC		✓				
51	76th ConEC	✓	✓	✓		✓	
52	77th ConEC	✓	✓	✓		✓	
53	79th ConEC		✓	✓			
54	80th ConEC	✓	✓	✓			

55	81th ConEC	✓	✓	✓	✓		
56	82th ConEC				✓		
57	85th ConEC			✓			
58	86th ConEC		✓		✓		
59	87th ConEC		✓		✓		
60	88th ConEC				✓		
61	89th ConEC			✓	✓		
62	90th ConEC	✓		✓	✓	✓	
63	92th ConEC	✓		✓			
64	93th ConEC	✓		✓			
65	95th ConEC	✓		✓	✓	✓	✓
66	97th ConEC	✓		✓	✓	✓	✓
67	98th ConEC						✓
68	99th ConEC			✓		✓	
69	103th ConEC			✓	✓		
70	104th ConEC				✓		
71	105th ConEC			✓			
72	107th ConEC	✓		✓			✓
73	110th ConEC		✓	✓	✓		✓
74	111th ConEC						
75	113th ConEC		✓	✓			✓
76	114th ConEC		✓	✓	✓		
77	115th ConEC			✓			
78	117th ConEC			✓			
79	118th ConEC			✓		✓	
80	119th ConEC	✓		✓	✓		