

**C O N C L U S I O N**  
**of Observer Team of the Interparliamentary Assembly of Member Nations of  
the Commonwealth of Independent States at Snap Elections to the Milli  
Mejlis of the Azerbaijan Republic**  
**February 9, 2020**

On December 5, 2019 in accordance with Part I Article 98<sup>1</sup> and Clause 1 Article 109 of the Constitution of the Azerbaijan Republic, President Ilham Aliiev signed a Decree declaring snap elections to the Milli Mejlis of the Azerbaijan Republic.

On December 10, 2019 the Interparliamentary Assembly of the CIS Member Nations received an invitation from Speaker of the Milli Mejlis of the Azerbaijan Republic Ogtay Asadov to observe preparation and administration of the snap elections to the Milli Mejlis of the Azerbaijan Republic.

According to Order No. 1-rp dated February 4, 2020 issued by Chairperson of the IPA CIS Council Valentina Matvienko, First Deputy Speaker of the Senate of the Oliy Majlis of the Republic of Uzbekistan Sodiq Safoyev was appointed to coordinate the IPA CIS observer team at the elections to the Milli Mejlis of the Azerbaijan Republic.

The international observer team was appointed on behalf of the CIS Interparliamentary Assembly comprising 29 individuals overall who represented parliaments of the Republic of Belarus, the Republic of Kazakhstan; the Kyrgyz Republic, the Republic of Moldova, the Russian Federation, the Republic of Tajikistan, the Republic of Uzbekistan, and the Council Secretariat in order to monitor the election campaign. Representatives of the IPA CIS Council Secretariat and experts of the International Institute for Monitoring Democracy Development, Parliamentarianism and Suffrage Protection of Citizens of IPA CIS Member Nations (IIMDD IPA CIS) provided informational, analytical, and technical assistance to parliamentarians.

Observation was performed in conformity with the Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States (Chisinau, October 7, 2002) and the Recommendations for International Observers from the Commonwealth of

Independent States on Elections and Referendum Observation (St. Petersburg, May 16, 2011) and pursuant to principles of political neutrality, objectivity, strictly observed electoral legislation, and non-interference into the internal affairs of the Azerbaijan Republic.

## **Legal Framework and Milli Mejlis Electoral System in the Azerbaijan Republic**

The elections to the Milli Mejlis of the Azerbaijan Republic are primarily regulated by the Constitution (adopted on November 12, 1995; last amended on September 26, 2016), the Election Code (May 27, 2003), the Azerbaijan Republic Laws on Political Parties (June 3, 1992), on Freedom of Assembly (November 13, 1998), on the Mass Media (December 7, 1999 года), on Non-Governmental Organizations (Voluntary Associations and Foundations) (June 13, 2000), on Television and Radio Broadcasting (June 25, 2002), on State Registration and the State Register of Legal Entities (December 12, 2003), on Access to Information (September 30, 2005), and other regulatory acts.

National legislation regulates organization and administration of parliamentary elections in compliance with fundamental provisions enshrined in international documents that stipulate democratic electoral standards.

According to existing legislation, the Central Election Commission of the Azerbaijan Republic (CEC AR) is granted authority to adopt regulations and other regulatory acts clarifying electoral legislative provisions, as well as other powers:

- to adopt guidelines and recommendations based on the Election Code;
- to inform subordinate election commissions about adopted guidelines and recommendations;
- to provide clarifications regarding electoral legislation and integral enforcement;
- to analyze and generalize international practices of electoral legislation enforcement;
- to submit proposals to improve electoral legislation.

The snap elections to the Milli Mejlis of the Azerbaijan Republic were called upon the initiative of the governing Yeni Azerbaijan Party (New Azerbaijan Party, YAP) on February 9, 2020 to adopt the Milli Mejlis Decree as of December 2, 2019 No. 1717-VQR ‘Address to the President of the Azerbaijan Republic

Regarding Appointment of Snap Elections to the Milli Mejlis of the Azerbaijan Republic', declaring that a convened and more efficient Milli Mejlis of the Azerbaijan Republic is required to promote social and economic reforms across all branches of government. The Decree was adopted by consolidated majority of the Milli Mejlis members, whereas the parliament declared termination of activity in the existing setting and highlighted the demand for early elections.

According to law, dissolution of parliament and further early elections is stipulated in Part 1, Article 98 of the Constitution; on these grounds the President of the Azerbaijan Republic rules to dissolve the Milli Mejlis of the Azerbaijan Republic for 'irreparable failure to fulfill its duties'. To validate constitutional grounds of such termination of Parliament powers and the call for early elections, the Head of State appealed to the Constitutional Court of the Azerbaijan Republic, which in turn affirmed in the Plenary Resolution dated December 4, 2019 that the Milli Mejlis Decree No. 1717-VQR dated December 2, 2020 was in compliance with the Constitution of the Azerbaijan Republic and ruled that the Parliament is not prohibited to decide on its ability or inability to continue work on condition that the majority of its members submitted their position in due order regarding failure to fulfill their duties, which establishes constitutional grounds for dissolution of aforesaid Parliament.

Based on the Constitutional Court Resolution, the President of the Azerbaijan Republic signed a decree to dissolve the Fifth Milli Mejlis Parliament and set early parliamentary elections to be held on February 9, 2020.

In conformity with national legislation, elections to the Milli Mejlis of the Azerbaijan Republic are held by secret ballot in 125 single mandate constituencies based on universal, equal, direct suffrage.

On February 9, 2020 the average number of voters per constituency at early Milli Mejlis elections was 41,775 individuals.

Citizens of the Azerbaijan Republic who are 18 years of age or older by the election day are eligible to active suffrage. Stateless individuals who have been domiciled in the Azerbaijan Republic for less than 5 years are denied voting, as well as individuals recognized by court as incapacitated.

Based on the examination of national electoral law of the Azerbaijan Republic regulating parliamentary elections to the Milli Mejlis of the Azerbaijan Republic, IPA CIS observers claim that, overall, national electoral legislation complies with international standards of democratic elections. National legislation ensures

administration of parliamentary elections by independent electoral bodies on the basis of universal, equal, direct suffrage and secret ballot, as well as guarantees relevant rights exercised by citizens and groups of citizens during elections, and transparency of electoral procedures at all stages.

### **Administration of Elections to the Milli Mejlis of the Azerbaijan Republic**

Preparation and administration of elections to the Milli Mejlis of the Azerbaijan Republic is the responsibility of election commissions; they form an integral architecture that includes the Central Election Commission, constituency election commissions, and precinct election commissions. Election commissions are state bodies acting in accordance with the Constitution and the Election Code of the Azerbaijan Republic.

The Central Election Commission has 18 members. CEC AR members are elected by the Milli Mejlis in due order set forth by the national legislation, i.e. 6 CEC AR members are nominated by a political party with the majority of seats in the Milli Mejlis; another 6 members are nominated by a political party with the minority of seats in the Milli Mejlis; the remaining 6 are independent deputies who do not belong to any political party.

CEC AR and constituency election commissions operate on regular basis. CEC AR shall produce an exhaustive list of constituency election commissions at least 50 days before the Milli Mejlis elections and ensure that each CEC has 9 members, whereof 3 candidates are nominated by members of CEC AR representing a political party with the majority of seats in parliament; 3 candidates are nominated by members of CEC AR representing a political party with the minority of seats in parliament; the remaining 3 candidates are nominated by CEC AR members representing independent members of the Milli Mejlis who do not belong to any political party.

Precinct election commissions are established by constituency election commissions at least 40 days before the day of elections; each precinct election commission shall include 6 members. Those include 2 members nominated by a constituency election commission and representing a political party with the

majority of seats in parliament, 2 candidates nominated by a constituency election commission and representing a political party with the minority of seats in parliament, and 2 candidates nominated by a constituency election commission representing independent members of the Milli Mejlis who do not belong to any political party.

Pursuant to the 2020 election campaign, 125 constituency and 5,573 precinct election commissions were established in the Azerbaijan Republic. Election commissions of all levels were established within due timespan and in compliance with national regulation; overall, 34,500 individuals were recruited to election commissions of all levels.

In the run-up for elections (December 2019 through February 2020) CEC AR organized a set of research and practice conferenced, outreach and training sessions, jointly with the academia and expert community using sets of guidelines and background materials developed for different groups of participants: chairs, secretaries, members of constituency and precinct election commissions, the media, the police, and national observers.

IPA CIS international observers noted efficiency of the CEC AR efforts to provide guidelines and background materials to those involved in the election administration, as well as to ensure open access to legal and campaigning materials, as well as background materials on elections, political parties, and the election campaign. Remarkably, from December 2019 through February 2020 the CEC AR issued 11,000 to 55,000 copies of reference books in Azerbaijani language covering different aspects of election preparation and administration.

Voters were able to familiarize with the election campaign updates on the CEC AR web-page.

Pursuant to the active voting right, citizens of the Azerbaijan Republic can verify their personal data and within reasonable time report violations of election administration to constituency election commission via a dedicated hotline number. Moreover, during the election campaign a unified hotline number 115 was set up in the Azerbaijan Republic to obtain reference information on the elections and relevant events in the run-up for elections, to report violations throughout the campaigning period or during voting to state and election administration authorities. Additionally, the official CEC AR web-page also has an active digital hotline. CEC Chairman Mazakhir Panakhov held regular press-conferences to cover main pre-election stages and preparations to the voting day.

The Central Election Commission of the Azerbaijan Republic provided favorable conditions to disseminate information on the election campaign to international community. In the run-up to elections, CEC AR top officials held meetings with international observers, organized press-conferences for international journalists, ensured regular updates on preparations and measures implemented by election commissions of all levels were published in English version on the CEC AR web-page. Upon the CEC AR initiative, an independent media center ‘Elections-2020’ was opened in early December 2019 that offered a comfortable venue to host press-conferences and presentations by all participants of the election process, national and international observers, as well as experts. Ongoing updates were published on the media center web-page [www.secki-2020.az](http://www.secki-2020.az) in Azerbaijani, Russian, and English languages regarding relevant data on election and voting process, estimates by experts, public addresses and feedback by responsible officials, publications of printed and digital media, interviews, as well as photos and videos. By the day of voting the CEC AR had accredited over 130 foreign and local media companies, 199 journalists representing 47 countries to ensure coverage of early elections to the Milli Mejlis of the Azerbaijan Republic. IPA CIS international observers noted, that easy access to information allowed to guarantee transparency throughout the election campaign.

Executive bodies and local governments of the Azerbaijan Republic have invested a lot of efforts to help political parties and independent candidates organize campaigning events (by providing venues for meetings and sessions with voters, spaces to post political adverts, etc.) and to supply constituency and precinct election commission with all necessary supplies. Notably, all voting venues were equipped with internet connection, and security cameras were installed in over 1000 election precincts by the voting day for on-line monitoring.

### **Nomination and Registration of Candidates to the Milli Mejlis of the Azerbaijan Republic**

Nomination and registration of candidates to the Milli Mejlis took place from December 8, 2019 to January 10, 2020. To register, each aspiring candidate representing a precinct had to gather at least 450 signatures of voters residing in this precinct. The group of international observers considered the timespan of 5 weeks required for an aspiring candidate to gather signatures as reasonable, while

the required amount of 450 signatures is a valid evidence of candidate's support. The number of political parties and candidates who have successfully completed registration with constituency election commission demonstrates that the early call for elections did not hamper citizens of the Azerbaijan Republic to exercise passive voting right, whereas political entities were able to promote favorable candidates to mainstream the agenda of their parties.

The following parties applied to join the election campaign: the Yeni Azerbaijan Party, the Umid Party, the Civic Solidarity Party, the Great Creation Party, the Popular Front Party, the National Independency Party, the Democratic Party, the Great Azerbaijan Party, the Vahdat Party, the Ana Vetən Party, the Evolution Party, the Musavat Party, the Social Welfare Party, the Unity Party, the Party of Democratic Reforms, the Liberal and Democratic Party, the Party of Democratic Enlightenment, the Modern Musavat Party, and independent candidates.

Since the launch of the election campaign until January 17, 2020, constituency election commissions registered 1,345 citizens of the Azerbaijan Republic representing 19 political parties and independent candidates. Constituency election commissions registered 248 candidates: the Yeni Azerbaijan Party — 123 candidates, the Musavat Party — 25 candidates, the Umid Party — 18 candidates, the Popular Front Party — 13 candidates, the Vahdat Party — 12 candidates, the National Independency Party — 9 candidates, the Democratic Party — 7 candidates, the Modern Musavat Party — 5 candidates, other political parties registered 3 and less candidates each.

The current election campaign stands out for increased political activity among citizens leading to more independent candidates — 1,097. Eventually, every deputy mandate in the Milli Mejlis of the Azerbaijan Republic was contested by 11 candidates in average which demonstrates the competitive format of elections. The IPA CIS international observer team notes the positive impact of this trend in terms of ensuring free elections based on universal and equal suffrage to every citizen.

The 1,345 candidates registered for elections by February 9, 2020 included 269 women (20%); including those nominated by political parties — 41 women (17%), independent candidates — 228 women (21%).

Active engagement of the youth into law-making is demonstrated by increased share of candidates aged 35 and younger vs. last parliamentary elections

in 2015: 346 candidates (26%), including 40 (16%) nominated by political parties and 306 (28%) independent candidates.

The CEC AR reported that the total number of citizens of the Azerbaijan Republic eligible to vote on February 9, 2020 was 5,212,902 individuals, including 2,563,261 (49.17%) men and 2,649,641 (50.83%) women.

The CEC AR decided to order 5,387,600 ballot sheets in accordance with regulation whereby the number of ballot sheets in polling stations shall outnumber registered voters by 0.5% maximum. Ballot sheets were printed by January 30, 2020, i.e. 10 days prior to the day of voting. All ballot sheets were delivered to polling stations in due timeframe:

—by February 4, 2020 to constituency election commissions, i.e. no later than 5 days prior to the day of voting,

— by February 6, 2020 to precinct election commissions, i.e. no later than 3 days prior to the day of voting.

No violations of timeframes regarding supply of ballot sheets to precinct election commissions were reported by representatives of constituency and precinct election commissions during meetings with observers.

To facilitate voting by persons with disabilities, some polling stations in Baku and regions were equipped with ramps and elevators to provide access to the venue, as was identified by observers during short-term monitoring; visually impaired voters were provided with Braille kits. A few polling stations were equipped with specific spacious booths for citizens with reduced mobility. The group of international observers recommends that the CEC AR continue its efforts to have more polling stations equipped with booths for citizens with reduced mobility.

Transparency of the Milli Mejlis election preparation procedures and voting was achieved by extensive engagement of national observers, representing political parties, agents of candidates, as well as non-governmental organizations, engaged in electoral activities. Overall, over 64,00 observers were accredited to perform observation on the voting day at election commissions of all levels.

The Milli Mejlis elections were monitored by 842 international observers accredited by CEC AR, representing 12 international organizations from 55 countries. The CIS observer mission included 252 observers from 8 countries, including the IPA CIS team.



Observation over preparation and administration of elections on February 9, 2020 produced evidence that all required measures to prepare and administer elections in accordance with the general schedule of events in the run-up to early elections to the Milli Mejlis of the Azerbaijan Republic were observed by due deadlines in strict conformity with electoral legislation of the Azerbaijan Republic. The IPA CIS international observer team appreciates the professional work of the CEC AR, state and municipal authorities of the Azerbaijan Republic to ensure unrestricted expression of will by every citizen, transparency and accessibility of information on legal, administrative and political aspects of the election campaign. Unbiased and independent activity of the CEC AR and subordinate election commissions guaranteed unparalleled level of competition throughout the election campaign, which was in tune with transparency of provided information and political openness of elections in the Azerbaijan Republic.

### **Election Campaigning**

In conformity with national legislation of the Azerbaijan Republic, the pre-election campaign was launched by candidates on January 17, 2020 and was finished by 8.00 a.m. on February 8, 2020.

Over this timespan, candidates used different election campaign formats, including meetings with voters, political advertising on TV, radio, in printed media or actively promoted themselves on-line.

Milli Mejlis candidates and their respective political parties have taken maximum advantage of the legal right to campaign in printed and digital mass media of the Azerbaijan Republic, including public election campaign events.

Campaign materials were posted in due order as stated by law; assistance was provided by executive regional and municipal authorities. In due time, the CEC AR identified at least one indoor and one outdoor venue in each of the total 125 constituents of the Azerbaijan Republic where candidates could hold pre-election meetings with voters (overall, the CEC AR selected 256 venues operating on a permanent basis to host sessions and meetings). Municipal authorities provided assistance to registered candidates and political parties in running the pre-election campaign. Applications for venues to host meetings with voters or large-scale public events were submitted by authorized agents of registered candidates and

political parties; authorities responded within reasonable time, and requested venues were provided free of charge.

Short-term monitoring by the IPA CIS international observer team did not produce any evidence of violations of candidates' rights incurred by such public campaigning events in the Milli Mejlis elections.

Neither did constituency election commissions and the CEC AR receive any enquiries or claims regarding refusal to provide rooms and venues for pre-election campaigning.

Under existing legislation of the Azerbaijan Republic, campaigning parties and political coalitions that have registered candidates in 60 election constituents and over, do not have to pay for election campaigning.

When candidate registration was over, the Yeni Azerbaijan Party was an only party that satisfied this requirement, having registered 123 candidates.

On January 17, 2020 the Yeni Azerbaijan Party voluntarily rejected the free air time provided to its candidates on Public Television of the Azerbaijan Republic; the Party explained that they wanted to ensure equal campaigning conditions for candidates of all political parties and thus sustain the principle of equal and free elections.

Thus, in the current election campaign none of political parties and independent candidates were campaigning on television free of charge by broadcasting political commercials, press-conferences, and interviews. Shortly before the election campaigning was launch, 30 mass media, 9 newspapers and magazines, and 1 television broadcasting company declared that they were ready to provide their resources to Milli Mejlis candidates and broadcast political advertising without price discrimination. This fact, as well as the large number of independent candidates, who did not belong to any party and were pursuing high levels of recognition and extensive presence within a very limited information space, produced a peculiar media landscape of election rallying.

IIMDD IPA CIS experts conducted monitoring and found that political parties and independent candidates used paid television and radio broadcasting within limits for their political messaging. Meanwhile, they were very active in publishing political advertising in national printed periodicals, local mass media, as well as digital media web sites, including media agencies of the Azerbaijan Republic.

The trend to shift intensive campaigning, political messaging and competition into the Internet space had been identified in the course of monitoring by IIMDD

IPA CIS experts in IPA CIS Member States in 2019 and was explicit during the early elections to the Milli Mejlis of the Azerbaijan Republic as well.

Short-term monitoring also included meetings between IPA CIS international observers and representatives of political parties and showed that all participants of the election campaign were granted equal access to post their political adverts in print and digital media.

Moreover, to ensure that citizens of the Azerbaijan Republic are able to execute their active voting right, print and digital media of national and local level published regular updates on pre-election activities, provided extensive coverage of activities performed by the CEC AR, constituency and precinct election commissions, executive authorities to establish favorable conditions for citizens to freely express their will. Information about pre-election meetings of political parties and candidates nominated to the Milli Mejlis members was duly published in national print media. During the election campaign regional and local media published biographies and political agendas of candidates registered with respective election constituency. IPA CIS international observers found no evidence of obstructed access to mass media due to political reasons or interference of state (local) authorities with the election campaign.

### **Long-term Monitoring**

Within the framework of long-term monitoring two teams of IPA CIS international observers represented by of the IPA CIS Council Secretariat staff members and IIMDD IPA CIS experts visited the Azerbaijan Republic from January 14 to 20, 2020. They were assisted by representatives of the IIMDD IPA CIS Baku branch registered as national observers.

Monitoring was held during final days of candidate registration and early days of the election campaign in the cities of Baku, Ganja, Mingachevir, Samukh, Shamkir, Lankaran, Astara, Lerik, Masalli, Sumgait, Absheron and other regions of the Azerbaijan Republic. Long-term monitoring agenda included meetings with CEC AR Chairman, representatives of the Milli Mejlis Administration of the Azerbaijan Republic, Chairman and members of the Constitutional Court – those who ruled that the parliament dissolution and the call for snap elections to the Milli Mejlis of the Azerbaijan Republic did not interfere with the Constitution – as well as top officials of the Yeni Azerbaijan Party and other political parties, that were

represented in the existing composition of the parliament and have nominated candidates for the current election campaign. Within the framework of pre-election monitoring events, members of the IPA CIS international observer team representing the IPA CIS Council Secretariat, as well as national observers representing the IIMDD IPA CIS Baku branch, visited over 17% of the total number of constituency election commissions and over 30 precinct election commissionŷ across several regions of the Azerbaijan Republic. Monitoring demonstrated that polling stations were accessible to individuals health-related restrictions.

At the meeting with the CEC AR Chairman Mazakhir Panakhov reported on performance of election commissions of all levels regarding the Calendar schedule for preparation and administration of snap elections to the Milli Mejlis of the Azerbaijan Republic; he also noted high degree of accuracy of voter lists and demands for new polling stations, following the outcomes of the municipal elections in December 2019; he highlighted the value of outreach seminars and training sessions in professional training of Chairs, members of election commissions, and other participants of election process, and reported on measures to mainstream information on the current election campaign among citizens. Mazakhir Panakhov underscored that, although the elections are declared as snap, all due timeframes for pre-election events stipulated by national legislation, including pre-election campaigning, are in conformity with due procedures for the Milli Mejlis elections.

Visits to 2 constituency and 4 precinct election commissions in Baku produced findings on verification of lists of voters and provision of supplies and equipment for voting in polling stations.

The monitoring showed that the CEC AR and subordinate election commissions of the Azerbaijan Republic efficiently implemented all formats, provided by national legislation to improve the turnout at polling stations and disseminate information on voting procedure. Such formats included: political advertising in periodicals, dedicated pre-election newspapers and magazines, posters and billboards in public places; TV and radio broadcasting of political messaging and educational videos about the voting procedure, publication of these videos on the CEC AR website and the website of the Cabinet of Ministers of the Azerbaijan Republic. No violations of national legislation by electoral administrative authorities were found.

At the meeting with Head of the Administration of the Milli Mejlis of the Azerbaijan Republic Safa Mirzoev IIMDD IPA CIS experts were informed on the operation of the Parliament after dissolution and the call for snap elections until a reconvened Parliament is established based on the election results; he also explained the outgoing Milli Mejlis powers in such transformative period as defined by the Constitutional Court of the Azerbaijan Republic and on measures to ensure that the election campaign is open and transparent to international observers and they can efficiently set up their work. He also noted that the current snap elections show a significantly revamped composition of candidates, as soon as many members of the outgoing Parliament decided not to participate in elections, which means that younger politicians are going to assume offices in the legislative branch of power.

Chairman of the Constitutional Court of the Azerbaijan Republic Farhad Abdullayev, IPA CIS observers were informed on the powers of the Constitutional Court regarding electoral issues. In conformity with national legislation, the Court has the power to approve the CEC AR final protocol, to ratify and grant legitimacy to the election results.

A special discussion addressed the appeal submitted by the President of the Azerbaijan Republic to be considered by the Constitutional Court Plenary regarding constitutional legitimacy of the Milli Mejlis on the basis of the relevant decree of the Parliament; the discussion also addressed the powers of the outgoing Milli Mejlis until ratification of the election results and reconvention of the new Parliament.

On January 15 to 16, 2020 within the framework of long-term monitoring, IPA CIS observers held meetings with representatives of the following political parties and public movements that have nominated candidates for the forthcoming elections: the Yeni Azerbaijan Party and the Council of Women of the Yeni Azerbaijan Party, the Party of Democratic Reforms, and the Popular Front Party.

Representatives of election headquarters and individual candidates compared notes on the election campaign, pre-election congresses, approval of party agendas and agendas of individual candidates, as well as pre-election campaigning. Representatives of political parties did not share any critical points regarding legitimacy the snap elections and CEC recommendations. Representatives of political parties described the election campaign as competitive, open, with extensive opportunities for campaigning in traditional and digital formats.

Participants of the election campaign referred to active election campaigning on the Internet, that is sometimes launched prior than the due starting date stipulated by law. As long as relevant regulation defining the legal status of Internet sources with regard to electoral process, administrative authorities did not impede political messaging by parties and independent candidates in blogs and social networks.

Further election campaign monitoring was carried out on-line through regular investigation and cross-examination of on-line sources, including official websites of electoral and state authorities, digital media, blogs and accounts in social networks, whereby verification of data through other sources is mandatory. In some cases, accredited national observers representing the Baku branch of the IIMDD IPA CIS assisted to verify the data. Remote analysis of data from open on-line sources did not reveal violations of national legislation throughout the election campaign regarding political advertising and messaging published on-line by political parties, candidates to the Parliament and their proxies.

No evidence showing dissemination of information contradictory to provisions of the Constitution and the Election Code of the Azerbaijan Republic was registered.

Having finalized long-term monitoring on February 5, 2020, representatives of the IPA CIS international observer team and members of the IIMDD IPA CIS expert group conclude, that preparation and administration of the early election to the Milli Mejlis of the Azerbaijan Republic was performed without violations of national legislation regarding the decision-making process on dissolution of the Parliament and the call for early elections, as well as nomination and registration of candidates and pre-election campaigning.

### **Short-term Monitoring**

From February 6 to 9, 2020 an IPA CIS team of 29 international observers comprising representatives of parliaments of 7 IPA CIS Member Nations, Heads and staff of the IPA CIS Council Secretariat and IIMDD IPA CIS experts monitored the final stages of the election campaign to the Milli Mejlis of the Azerbaijan Republic, including on the voting day.

Monitoring of elections was performed by 27 international observers of the group during their visit to Baku; 2 observers were staying in St. Petersburg to

monitor and analyze the voting process remotely via on-line live streaming from polling stations security cameras accessible on the CEC AR website.

On February 7 and 8, 2020, the IPA CIS international observer team held meetings with representatives of electoral administrative authorities and major political parties, running for the current election campaign.

On February 7, 2020 observers supervised by the Team Coordinator First Deputy Speaker of the Oliy Majlis of the Senate of the Republic of Uzbekistan Sodiq Safoyev visited Constituency Election Commission No. 29 and Precinct Election Commission No. 3 of the Sabail district in Baku. The constituency has got some 39,000 registered voters, split across 30 polling stations; on top of that, 3 polling stations were set up 5 days prior to the voting day within headquarters of military units. The constituency is represented by 20 candidates. Polling station No. 3 registered 1,252 voters. At the meeting Chairmen of constituency (D. Mamedov) and precinct (N. Babaev) election commissions reported on the composition of CoEC and PEC, delivery of over 94% of voter IDs to citizens, professional training of Chairs and members of election commissions organized by the CEC AR, centralized provision of equipment and supplies to subordinate election commissions by CEC AR, as well as measures to ensure safety and security of ballot sheets. Referring to the snap Milli Mejlis elections, the CoEC Chairman noted increasingly proactive younger generations and specific meeting organized by the CoEC to address this category of voters. International observers were able to see operation of an advanced voter fraud detection device that allows to verify voter registration with a particular constituent and would have been used for the first time at parliamentary elections of on February 9, 2020.

That very day the IPA CIS international observers visited pre-election headquarters of the opposition party Umid ('Hope'), where they met Party Chairman Igbal Agazade. The Party includes over 57,000 members; by the date of voting the Party nominated 21 candidates, including 5 in Baku. The Chairman considered the snap elections legitimate and the CEC AR administration of the election process corresponding to existing regulation; in his opinion, campaigning in all formats was otherwise unobstructed, excluding the fact that 200 national observers of the Umid Party had been rejected registration with constituency 35; nevertheless, there were legislative restrictions regarding access to free air time. Igbal Agazade noted that as soon as the Umid was intensively utilizing the Internet, parties were able to campaign on their websites and individual webpages

of candidates in social networks; he personally had roughly 50,000 and 100,000 subscribers in Instagram and Facebook.

On February 8, 2020 the IPA CIS group of international observers continued the visits and arrived to the CEC AR. Team Coordinator Sodiq Safoyev informed CEC AR Chairman Mazakhir Panakhov and members of the commission about the work done and agenda of IPA CIS observers during the final stage of the election campaign; he also enquired about the situation in constituency No. 35 and grounds behind the Umid Party claims. Mazakhir Panakhov informed participants of the meeting that the pre-election campaign was in its final stage and all entities of the election system were now in full capacity to launch voting on February 9, 2020, while CEC AR activities were transparent to international observers. He described the snap Milli Mejlis elections this year as demonstrating unparalleled involvement of political parties and independent self-nominated candidates. By the date of voting ballot sheets included names of 1,314 candidates, including 242 nominees of 19 political parties and 1,072 self-nominated candidates. Candidates represented all walks of the Azerbaijan Republic society, as well as a broad spectrum of entities and movements of the country's political life. Elections called for February 9, 2020 showed a record number of national (over 70,000 individuals) and international observers (873 observers from 55 states).

In response to candidates' claims of violations in the elections administration, CEC AR Chairman noted that the total number of claims (47) submitted to the Central Election Commission regarding rejected registration of aspiring candidates had decreased vs. previous elections, whereas many claims were satisfied. The main grounds for registration rejection were double citizenship (2 persons); heavy crime record (3 persons); inaccurate information about property owned (22 persons). As for Constituent No. 35, clarifications were provided with references to national legislation of the Azerbaijan Republic that proved that the CEC AR actions were within law.

Next, IPA CIS observers visited the pre-election headquarters of the governing party Yeni Azerbaijan Party where they met Deputy Chairman and Executive Secretary Ali Akhmedov, Deputy Executive Secretary Mubariz Gurbanli and Head of International Relations Sevinj Fatalieva. This is the largest party in the Azerbaijan Republic; it includes 750,000 members and has offices across all cities and regions of the Azerbaijan Republic. Ali Akhmedov welcomed active participation of a large number of political parties of the Azerbaijan



Republic in the elections and noted that despite a significant increase in competition, the Yeni Azerbaijan Party was expecting to expand its presence in the Milli Mejlis (the existing composition of the national parliament included 71 Yeni Azerbaijan Party deputies). To Ali Akhmedov, one of the achievements of the party in the outgoing Milli Mejlis had been a two-fold increase of average payroll in the country and increase of pensions by 71%, as well as already declared plans to further increase pensions by extra 17%. The Yeni Azerbaijan Party appreciated unbiased review of the current elections by national and international observers. They were planning to delegate observers to each polling stations in 123 election constituents, where the party candidates were running. The current election campaign is distinctive in terms of significantly revamped composition of the reconvened parliament – only 48 candidates out of the 123 registered were members of the outgoing parliament, whereas 71 candidates were campaigning for the first time. He noted proactive participation of the younger members of the Yeni Azerbaijan Party in the elections and the election campaign. The Party nominees included 32 persons under the age of 40, therefore, the party anticipated that younger generation would be present in the reconvened supreme legislative authority of the Azerbaijan Republic, which would produce a powerful impetus to reforms and country renewal in conformity with the agenda proposed by the Chairman of the Party, President of the Azerbaijan Republic Ilham Aliyev.

Sodiq Safoyev shared the results of long-term monitoring by IPA CIS observers and the feedback received by observers during visits to various regions with other representatives of the party pre-election headquarters. He also mentioned that although the competition was stringent, no violations of national electoral legislation were observed. IPA CIS observers familiarized with some political advertisements prepared by the Yeni Azerbaijan Party for these elections.

On February 8, 2020 observers visited the Constitutional Court of the Azerbaijan Republic, where they were welcomed by Chairman Farhad Abdullayev. He acknowledged that court resolutions regarding elections affect political life of the Azerbaijan Republic, thus reinforcing rule of law and order in this vital area. The Constitutional Court of the Azerbaijan Republic was established in 1998; since 2004 individual citizens can appeal to the Court as well. In the course of 2005 and 2010 elections to the Milli Mejlis, the Constitutional Court canceled preliminary results of individual constituencies for several times. The former elections (on November 1, 2015) were exempt of violations, therefore

the Constitutional Court ratified the results submitted by the Central Election Commission without amendments. Despite a substantially larger number of candidates to the Milli Mejlis, the CEC AR, constituency commissions and judicial authorities received fewer complaints and claims; such complaints and claims are handled within reasonable time in conformity with existing electoral legislation.

Constitutional Court judges are well aware of the transformations in social life and admit that the judicial system is compelled to step up to the rapidly emerging challenges considering that the Azerbaijan Republic is developing at an accelerated pace. Farhad Abdullaev believed that electoral process should be reconsidered in between elections to satisfy demand of society. Based on the experience of the past and the practical database of electoral disputes handled by courts of various instances, the Constitutional Court was determined to ratify a special Resolution of the Constitutional Court Plenary of the Azerbaijan Republic, having consolidated relevant practical expertise.

On February 8, 2020, IPA CIS observers visited pre-election campaign headquarters of opposition parties – the Party of Democratic Reforms and the Popular Front Party, where they had a discussion with Chairmen Asim Mollazade and Gudrat Hasanguliyev.

Candidate to the Milli Mejlis Asim Mollazade supported the decision to dissolve the parliament and hold snap elections in order to promote reforms. In the current composition of the Parliament Chairman of the Party of Democratic Reforms was an only representative; by the day of voting the Party was represented by 12 registered candidates in election constituents of different regions of the country. The Party candidates did not encounter any violations or discriminatory treatment throughout registration and had no complaints against electoral authorities. Overall, Asim Mollazade appreciated exceptional professionalism of the CEC AR and constituency election commission and efficiency of their efforts to guarantee equal opportunities to campaign. In Chairman's opinion, elections were going to grant the President of the Azerbaijan Republic and the Milli Mejlis a vote of confidence by the citizens to implement reforms in all areas of public life. The motto of the Party of Democratic Reforms is 'Independent modern democratic Azerbaijan Republic'.

Candidate to the Milli Mejlis Gudrat Hasanguliyev appreciated professionalism of the CEC AR and state authorities in organizing the current

election campaign, as well as zero claims regarding registration of candidates and compliance of campaigning procedure with legislation. The Popular Front Party of the Azerbaijan Republic has got 11,000 members and 56 regional offices; 16 Party candidates were going to participate in the election campaign, while the Party Chairman is an only member to represent the Party in the outgoing Parliament. The Party electorate is dominated by representatives of business. According to the Party agenda, the main goal and a collateral of further political development of the Azerbaijan Republic is implementation of a proportional system of representation, instead of the existing majority system, with a limited and legally prescribed number of seats granted to the governing party (70%) and mandatory representation of at least four parties in the Parliament. Gudrat Hasanguliyev was confident that to guarantee non-discriminatory political competition at parliamentary elections and to promote a multiparty system, free airtime should be eligible to parties at a less rigorous limit than 60 nominees, while the threshold number of candidates required to establish a parliamentary fraction should be relieved from 25 to 10 candidates.

On February 9, 2020, the voting day of the elections to the Milli Mejlis of the Azerbaijan Republic, IPA CIS international observers witnessed different activities starting from polling station opening to the count of votes by members of precinct election commissions. In total, the observers visited 3 constituency election commissions and 95 polling stations in Baku, Sumgait, and the Absheron region, while observing the course of elections and counting of votes.

On that very day IPA CIS Observer Team Coordinator Sodiq Safoyev and IPA CIS Council Secretary General Dmitriy Kobitskiy held a joint meeting with heads of international observation missions to the current elections – Head of the OSCE ODIHR Observation Mission Peter Tejler, Head of the OSCE PA Observation Mission Elona Hoxha-Gjebrea, Special Co-ordinator and leader of the OSCE short-term observer mission Artur Gerasymov, Head of the PACE Group Frank Schwabe. The meetings allowed to compare notes on the work progress across groups of observers in the course of elections to the Milli Mejlis of the Azerbaijan Republic.

All polling stations visited by observers in regions under concern duly opened at 8 a.m. local time or earlier as stipulated by electoral legislation of the Azerbaijan Republic. Voting procedures were in strict conformity with national

electoral legislation. Each voter was granted equal and unobstructed access to the respective polling station in order to execute their right to vote.

Information boards inside polling stations and lists of candidates representing respective constituencies were posted to provide due scope of information stipulated by national legislation. The group of IPA CIS international observers believe that considering the majority system paradigm, a photo and brief biography added to candidate's profiles posted on billboards in polling stations enhanced transparency of the election campaign. Voting took place in appropriately equipped booths to guarantee the principle of secret ballot and prohibit any extraneous influence on voters' choice.

Observers found out that although most polling stations were equipped with ramps and elevators to ensure access for citizens with reduced mobility, specialized spacious booths designed for citizens with health restrictions were still missing inside some polling stations.

IPA CIS international observers recommend the CEC AR to continue their efforts to equip all polling stations with specialized booths for citizens with reduced mobility.

None of the polling stations visited by international observers reported interference with the activities of election commissions, administrative or law enforcement authorities.

All polling stations to be monitored on election day on February 9, 2020 were visited by observers representing candidates, political parties, or non-governmental organizations. International observation missions representing international organizations and individual states were actively engaged as well. Their visits to polling stations did not produce substantial critical remarks on the voting.

Surveys of voters as they were leaving their polling stations (i.e. exit polls) were conducted by three missions registered with the CEC AR:

- 1) Citizens' Labor Rights Protection League jointly with AJF & Associates Inc. (USA);
- 2) Rəy Monitoring Center (Azerbaijan Republic);
- 3) Human Rights in the 20<sup>th</sup> Century Foundation of the Azerbaijan Republic jointly with the French OpinionWay Research Institute.

On the voting day, February 9, for the first time ever for the CIS Interparliamentary Assembly, members of the IPA CIS international observer

team explored an unprecedented format of remote voting monitoring via on-line live streaming from security cameras installed at polling stations in the Azerbaijan Republic. Remote monitoring was available for over 120 polling stations in constituents No. 1, 14, 31, 36, 44, 52, 56, 71, 77, 100, 102, 103, 108, 109, 119 (located in the following districts of Baku: Sabail, Khazar, Surahan, Khatai, Khizinsky, Khachmaz, Guba, Masalla, Astara, Kedabek, Dashkesan, Goygol, Samukh, Agstafa, Balaken, Agdam).

The new format to monitor voting became available only by virtue of the fact that 1000 (18%) election precincts in the Azerbaijan Republic were equipped with security cameras. Online live streaming on the CEC AR website started immediately with the opening of election precincts, but no later than 8a.m., and ended at 7p.m. local time.

The objective of monitoring was to ensure:

- proper operation of security cameras;
- cameras were appropriately installed to allow efficient surveillance of voting process;
- sufficient image quality for comprehensive understanding of the situation.

Over the day on-line monitoring was performed in 5 sessions interrupted by breaks; polling stations were selected randomly; overall, this allowed to evaluate the technical capacity and applicability of the equipment to be used for remote monitoring, as well as obtain reliable data on the turnout of voters at different times throughout the day, ensure absence of direct violations of national legislation and verify compliance with regulation regarding polling station opening and closing hours. Polling stations were sampled in such a way that would allow to implement the technology in regions that are not covered by long-term and short-term monitoring, as well as in inaccessible communities

Observers found out that streaming was launched before voting had started, which allowed to evaluate how well polling stations were prepared for opening. Throughout the day streaming was maintained in a reliable manner.

Voting was in progress in due order at polling stations, that were undergoing remote monitoring; the highest voter turnout was observed between 12 p.m. and 5 p.m.

**Based on the monitoring results, IPA CIS observers note that election legislation in the Azerbaijan Republic provides a relevant legal framework to hold democratic elections and guarantee that the rights of all participants to the election process are respected.**

**In the run-up to the elections to the Milli Mejlis, election commissions operated in conformity with national legislation, based on principles of transparency and openness.**

**The election campaign proceeded in due order and through comprehensive political discussions among candidates. Candidates to the Milli Mejlis were granted equal access to print and electronic media.**

**Throughout the elections, state authorities of the Azerbaijan Republic demonstrated scrupulous respect of international observers and assisted them in their duties.**

**Thus, the IPA CIS Observer Team concludes, that the parliamentary elections to the Milli Mejlis of the Azerbaijan Republic on February 9, 2020 were held in compliance with national legislation and in conformity with universally accepted democratic principles and standards of free, fair elections, as well as international obligations of the Azerbaijan Republic.**

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Z. M. Samadzoda

I. S. Komarovsky

B. A. Abdualimov

O. N. Oksikbaev

Sh. D. Kulmatov

A. Zhunus uuglu

D. A. Kobitsky

O. A. Alynbaev

V. G. Kogut

F. N. Gagauz

I. N. Lipchiu

V. S. Vitouk

I. V. Sokolova

A. D. Bashkin

I. I. Mushket

K. K. Taysaev

Baku, 9 February 2020