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**Statement  
at the 577<sup>th</sup> meeting of the OSCE Permanent Council  
November 10, 2005**

Thank you, Mr. Chairman.

As it is known, on November 6<sup>th</sup>, the parliamentary elections were held in the Republic of Azerbaijan. Before going into the results and post-election developments in our country, let me first brief you on the process of preparation and conduct of these elections.

Having strong belief that elections are one of the fundamental elements of democratic state, Azerbaijan has always reaffirmed its commitment to the free and fair elections consistent with its Constitution and international obligations. The Government and the Parliament of Azerbaijan had consistently taken necessary steps to eliminate all obstacles in this regard. The Executive Orders, the texts of which had been distributed earlier in the OSCE, on the *Improvement of the Election Practices in the Republic of Azerbaijan* and on the *Urgent Measures related to Preparation and Conduct of Elections to the Milli Majlis of the Republic of Azerbaijan*, issued respectively on May 11 and October 25, 2005 by the President of the Republic of Azerbaijan, are worth attention.

These documents mainly focused on the role of the central and local bodies of the executive power in proper preparation for the parliamentary elections in full compliance with the relevant provisions of the legislation, suggested to the Parliament to consider lifting the ban on observation of presidential, parliamentary and municipal elections, conducted in the Republic of Azerbaijan, by the NGOs, which have a share in their statutory capitals that is provided by a foreign physical or a foreign juridical person and that exceeds the 30 percent of these capitals, or financed in other ways, stipulated in the Law of the Republic of Azerbaijan *On non-Governmental Organizations*. Furthermore, they recommended the Central Election Commission to elaborate and adopt the relevant instruction on marking the fingers of voters by invisible ink when voters receive the ballots on the voting day. The Commission organized and conducted special training seminars on inking procedure for the election officials.

Along with these steps, the Government put forward an initiative of the re-activation of the electoral constituencies in the Nagorno-Karabakh and other occupied territories of Azerbaijan in order to create opportunity for the Azerbaijani citizens of Armenian origin to participate in the parliamentary election. The Government addressed some international institutions, as well as the OSCE for the assistance concerning this important issue. Unfortunately, our address remained unheeded so far.

By November 1, the Central Election Commission had registered more than 17 000 domestic and 1265 foreign observers, who would have participated in the election monitoring process. Moreover, the Commission had also accredited 204 foreign reporters representing 52 international media outlets to cover the election-related developments.

The freedom of assembly of citizens of Azerbaijan had been fully ensured and protected during the whole electoral campaign. Encouraging step by the Government also included permitting opposition and ruling parties to hold public rallies on equal conditions, providing both free and paid time for all candidates irrespective of their views and political affiliation, warning local executive authorities against any interference into the election process. This resulted in creation of conditions of transparency and fairness, thus allowing more than 2000 candidates to be registered. Up to the Election Day, the registered candidates, parties and blocks of parties had held more than 26 000 meetings and other events of various kind.

Taking into account the logistical problems of issue of the new ID cards, the Central Election Commission has also decided to permit the use of the old Soviet-type passports or temporary ID cards by voters on Election Day.

All necessary preparations had been made to hold the exit-polls. Conducted in Azerbaijan for the first time this process covered 65 election constituencies.

The general atmosphere of the November 6 parliamentary elections in Azerbaijan was free, democratic, transparent, reflecting the will of people and in line with all relevant legislative norms and international obligations. By the end of the election day, 46,8 % of eligible voters had cast their votes in 5137 polling stations. The next day 95,74 % of voting ballots was processed. According to the preliminary results, representatives of 11 parties and 44 independent candidates won seats in the parliament. According to the Central Election Commission statement, preliminary results of the elections 85 % confirm the results of exit-polls.

We appreciate the interest of certain delegations, which have touched upon today the issue of elections and the recent report of the International Election Observation Mission, a joint undertaking of the OSCE Office for Democratic

Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), the European Parliament (EP) and the NATO Parliamentary Assembly (NATO PA). Having carefully acquainted with their preliminary findings and conclusions, we would like to make following comments.

We have to note with regret that there has been some irregularities and shortcomings observed and registered in some constituencies. The President of the Republic of Azerbaijan instructed the Office of Prosecutor General to investigate all infringements having taken place on the Election Day and to take appropriate measures in this regard. According to the statement, made the next day by the Office of Prosecutor General, 18 working groups had been set up and detached to the constituencies on November 5. On the Election Day the Office received information on 39 detected facts of violation, 2 of which will be examined by the local election commissions. Criminal cases will be initiated on 7 facts. The Central Election Commission has already declared null and void results in 2 constituencies and in 12 polling stations of one constituency. Chairmen of these 2 constituencies, as well as heads of several other polling stations, being accused of serious violations have been detained. Just yesterday President issued two executive orders dismissing 2 heads of local executive authorities for interference in the election process. Officials from the Office of Prosecutor General together with the experts from the Central Election Commission continue investigations in some other constituencies.

The government structures, especially Ministry of Foreign Affairs, Central Election Commission, Office of Prosecutor General, keep close interactions with the representatives of international organizations, as well as foreign missions, in the post-election process.

Several opposition parties addressed to the Mayor of Baky to hold peaceful rally on November 9<sup>th</sup> with the purpose to comment on the election process. Ensuring the citizens' right to freedom of assembly executive power of Baky had authorized this rally, which was held yesterday.

Some irregularities during the election process have not affected the general outcome of elections in principle and it would be unfair to agree with claims that these elections in Azerbaijan do not meet our international commitments. At the same time we appreciate the recognition by the International Election Observation Mission, as well as observers from other international institutions and countries of improvement over previous elections in some areas. Indeed, these elections should be approached through the perspective of important achievements acknowledged by the international observers.

Mr. Chairman,

Our Delegation expresses high gratitude to our foreign partners, including those from the OSCE community, for their interest to the election-related issues. We appreciate the work of the international observers for their contribution to the process of preparation and conduct of the elections.

In conclusion I would like to stress one again the position of my country that the process of reforms and strengthening of democratic institutions has to be evolutionary and progressive. Reforms must be implemented consciously, recognized and perceived by all society. A number of factors, including those resulted from the heavy consequences of the well-known conflict, negatively affect our ability to go on steadily with the process of democratic transformation.

Fully realizing that there are still a number of shortcomings, the Government is committed to take all necessary measures to eliminate them and go ahead with even more devotion until the identified targets are reached.

In this respect, we pin great hope on continuation of a constructive dialogue, based on proper understanding of realities, and practical cooperation with all our international partners.

Thanks you, Mr. Chairman.