

ELECTION SYSTEM OF AZERBAIJAN

The will of the Azerbaijani people constitutes the basis of state power of the Republic of Azerbaijan. This will is reflected by freely and regularly conducted elections by secret and personal voting via general, equal and direct suffrage, as well as by the nationwide voting – referenda conducted by secret and personal voting based on general, equal and direct suffrage.

Rules for the organization and conduct of Presidential Elections of the Republic of Azerbaijan, Elections to the Milli Majlis of the Republic of Azerbaijan and Municipal Elections, as well as nationwide voting – referenda shall be determined by the Election Code of the Republic of Azerbaijan which was approved and enforced by the Law signed by President Heydar Aliyev on May 27, 2003. The Code consists of 7 sections, general provisions, special part and 38 chapters. The legislation act implies main concepts, principles, principles and methods that regulate issues on exercise of suffrage, election and referendum bodies, transparency during the preparation and conduct of elections (referenda), nomination and registration of candidates, pre-election (pre-referenda) campaign, organization of the voting, complaints against violation of citizens' suffrage and liability for the violation of these rights and other issues.

Majority election system is applied in the country. For the conduct of elections (referenda), Central Election Commission establishes 125 election (referenda) constituencies in every 5 years. Constituencies, as a rule, are established on the basis of voters' average norm of representation. The 9th chapter of the Election Code entirely includes the issues on the participation of political parties and political party blocs in elections (referenda). It contains bases and terms for the participation. Voters who intend to participate in the political activity are informed about the pledges for free and independent conduct of this activity. At least two political parties can form bloc of political parties. The name of the bloc shall be determined at the joint session of the representatives of the political parties, which enter the bloc. Bloc of political parties can submit its symbol for the approval by Central Election Commission.

During elections political parties, political party blocs that participate in elections appoint their authorized representatives, as well as authorized representatives on financial issues. Political parties and bloc of political parties nominate candidates. They can also nominate persons who are not the members of the political parties entering bloc. Political party and bloc of political parties whose candidate have been registered, have the right to appoint an agent to participate in pre-election campaign.

Pre-election campaign can be conducted by the way of holding mass activities (gatherings, meetings with voters, mass discussions and conversations) in mass media, issuance and dissemination of the published audiovisual and other campaign materials, by other methods not prohibited by law.

If the founders of TV and radio broadcasting organizations and periodical publications are state bodies, offices and financed by the state budget, then these TV and radio broadcasting organizations and periodical publications can ensure equal facilities for political parties and blocs of political parties to campaign their pre-election programs on the account of the funds allocated

by the state budget. The above-mentioned organizations, periodical publications, as well as TV and radio broadcasting organizations whose programs are broadcasted in half or more than the half of the territory of the Republic of Azerbaijan are obliged to provide access for pre-election campaign by the political parties and blocs of political parties the candidates of which have been registered in more than 60 single-mandate constituencies and in more than the half of municipalities. These political parties and blocs of political parties have the right to get free airtime and space in periodicals, as well as paid airtime and space on the basis of agreement pursuant to the rules implied by the Election Code.

During elections a large number of observers appointed by political parties and blocs of political parties also observe the process of the preparation and conduct of elections, determination of voting results.

The political parties and blocs of political parties whose candidate has been registered, can appoint a citizen of the Republic of Azerbaijan having active suffrage as a member with consultative right to the composition of the relevant election commission during elections. The commissioner with consultative right represents the candidate nominated by the relevant political party or bloc of political parties at the commission. The member of election commission having consultative right enjoys equal rights with commissioners with decisive vote excluding voting and some electoral actions.

Much importance is given to mass media in the preparation and conduct of elections (referenda) by election legislation of the country. If the founders of TV and radio broadcasting organizations and periodicals are state bodies, offices and financed by the state budget, then during election campaign, they must provide Central Election Commission with free airtime not less than 15 minutes each week for explaining election (referenda) legislation, rules and provisions for the implementation of necessary election actions, disseminating information about the procedure of election campaign and replying questions of voters. TV and radio broadcasting organizations whose programs are broadcasted to less part than the half of the country's territory, as well as TV and radio broadcasting organizations mentioned at the above of the paragraph, provide Constituency Election Commissions with free airtime not less than 10 minutes.

Election commissions use the space allocated in periodicals in order to explain election (referenda) legislation and reply questions of voters about the rules and time of election actions, procedure of election campaign by registered candidates, political parties and blocs of political parties.

Representatives of mass media have the right to participate at sessions by election commissions and vote counting. Furthermore, they can observe implementation of election actions at election commissions, determination of the voting results and electoral (referenda) returns, compilation of the protocols on voting results and electoral (referenda) returns, as well as counting and re-counting of votes.

Representatives of mass media can cover sessions by all election commissions, be familiar with the protocols on the voting results and electoral returns and decisions, as well as to get one copy of the decisions by the relevant election commission, protocols and other documents attached to them.