



Office for Democratic Institutions and Human Rights

STATEMENT OF THE OSCE/UN JOINT ELECTORAL OBSERVATION MISSION IN AZERBAIJAN

On 12 November 1995, Azerbaijan held both its first parliamentary election as an independent state and referendum on a new constitution. At the invitation of the government of Azerbaijan, an OSCE/UN Joint Electoral Observation Mission was established in Azerbaijan to observe the electoral process. Since the middle of September, the Joint Operation has been observing the electoral process, from the registration of candidates and parties, through the official determination of their eligibility to participate to the appeal process for excluded parties and candidates. To observe the 12 November voting and vote count, the Joint Operation deployed over 100 international observers from the Joint Operation's offices in Baku, Ganja and Nakhichevan.

The Joint Operation notes that Azerbaijan's first post-independence parliamentary election was a multi-party, multi-candidate election. Opposition parties were able to take part in the campaign, and to make their case to the voters through their own newspapers. Opposition parties as well as independent candidates also received free air time on state television. The election law permitted observers and authorized representatives of political parties and candidates to monitor the voting and vote count at the precinct and district level. Provisions were also made for candidates to appeal their exclusion by district election commissions to the Central Election Commission. Candidates and parties could appeal their exclusion by the Central Election Commission to the Supreme Court, which considered and ruled on these appeals before the 12 November election.

However, the Joint Operation considers that in many respects the election campaign, the voting and the counting of ballots did not correspond to internationally accepted standards. Voters' freedom of choice was limited by decisions to exclude about 60 percent of candidates and one-third of the political parties on the basis of a methodology that is open to question: a visual examination of the signature list by election officials and government experts, without an original of the signature. While these lists undoubtedly contained improper signatures, as acknowledged by some parties and candidates, the exclusion of many signatures was debatable. Moreover, contrary to international norms, there were no independent experts to dispute the judgments of official experts who played a crucial role in decisions on their exclusion.

While candidates and parties could appeal to the electorate on state television and radio, in some instances their remarks were censored. Political censorship of party and independent newspapers, though not officially acknowledged, and though less onerous in the immediate pre-election period, also restricted the freedom of speech of political parties.

Though observers did find precincts which efficiently and honestly conducted the balloting, in many others the voting and vote count featured serious irregularities in at least three respects: widespread interference by representatives of local executive authority, including the police; multiple voting, with the acquiescence of election officials; and highly disorganized counting procedures at the precinct and district levels.

In particular, the official acceptance of widespread multiple voting on election day was in stark contrast with the practice followed during the election campaign, when signatures on behalf of candidates and parties were rejected on the basis that one person had signed for several family members. This inconsistency alone places the fairness of the conduct of the election in serious doubt.

Moreover, the Joint Operation has good reason to suspect that election officials inflated the vote count in many instances, so as to artificially increase the voter turnout. In several instances, international observers personally witnessed the exclusion of local observers from polling stations during the vote count and they themselves were at times barred from polling stations.

Based on the above observations, the Joint Operation has serious doubts as to the fairness of the election. The Joint Operation will issue a final statement on the election in Azerbaijan at the conclusion of the entire process and after the official announcement of the results.

Baku, 15 November 1995