

IMPROVING THE FRAMEWORK FOR AZERBAIJAN'S 2000 PARLIAMENTARY ELECTIONS

July 28, 2000

The National Democratic Institute for International Affairs (NDI) continues to monitor the development of legislation relating to Azerbaijan's November parliamentary elections as one element of a comprehensive effort to support a process that is consistent with international standards for democratic elections.

From NDI's experience in more than 50 countries in transition toward democracy, it is clear that confidence in an election process and a perception of fairness are as important as the letter of the law. Where a non-democratic legacy exists, as in the case of Azerbaijan, the government has a special responsibility not only to ensure that the electoral process is administratively correct, but that the process is free from the perception of inequality and partisanship.

On Friday, July 21, these special responsibilities were ignored. On that date, Azerbaijan's parliament amended the law on the Central Election Commission and the Law on Elections, both of which had previously been adopted by the parliament and signed by President Aliyev. These amendments will enable those appointed by the government to electoral commissions at all levels to act without taking into account the views of those originally appointed to the commissions who represent opposition parties. This will eliminate any notion of nonpartisanship and fairness. Such actions will negate the impartiality of the legal framework for elections.

NDI understands that all political parties share an obligation to respond constructively to the new situation that emerged on Friday. It is in this context and in the spirit of international cooperation that NDI offers the following recommendations:

1. Immediate Dialogue. Government representatives should arrange a meeting with representatives of opposition parties in an effort to resolve the current impasse. NDI and other international organizations in the past have recommended several ways in which election commissions can be organized that meet the needs of fairness and representation of all political groups.

2. Address Specific Legislative Issues. The Law on elections enacted on July 5 contained improvements over the prior law; however, it was marked by serious flaws that caused it to fail to comport with international standards. The electoral framework should be improved by:

- i. Guaranteeing access to domestic monitors to all stages of the election process, including election day and the count.
- ii. Ensuring that the composition of Territorial and Precinct Election Commissions, as well as the Central Election Commission, meet the agreement of all parties and are organized to assure a fair electoral process.
- iii. Permitting all parties to participate in the elections, including those that have only been registered in the past 6 months.
- iv. Allowing eligible voters to sign registration petitions for more than one candidate.

political activity will be promoted and protected.

All of these steps should be taken quickly, so as to prevent further deterioration of the pre-election environment.

NDI will continue to monitor the process leading to the elections and will issue further comments in the months ahead concerning preparations for these critical parliamentary elections.



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