

INSTRUCTION

on organization of elections in ships sailing under the State Flag of the Republic of Azerbaijan, oil and gas platforms located in the Azerbaijani sector of the Caspian Sea, in hospitals, sanatoriums, rest homes and detention institutions during elections (referendum)

The rules for arranging elections (referendum) in ships sailing under state flag of the Republic of Azerbaijan, oil and gas platforms in Azerbaijan part of the Caspian Sea, hospitals, sanatoriums, rest homes, institutions of imprisonment (penitentiary establishments) and investigatory isolation wards shall be regulated by Articles 35.4, 46.6, 46.7, 46.9, 47.5, 47.5.1 of the Election Code of the Republic of Azerbaijan and the Instruction.

1. General provisions

1.1. Relevant election commissions shall arrange elections in ships sailing under state flag of the Republic of Azerbaijan, oil and gas platforms in Azerbaijan part of the Caspian Sea, hospitals, sanatoriums, rest homes, institutions of imprisonment (penitentiary establishments) and investigatory isolation wards during elections (referendum) (hereafter referred to as - elections).

1.2. Elections in ships sailing under state flag of the Republic of Azerbaijan, oil and gas platforms in Azerbaijan part of the Caspian Sea, hospitals, sanatoriums, rest homes shall be arranged only in Presidential elections and referendum.

1.3. The information on voters shall be submitted by the heads of relevant bodies or other authorized persons (captain of the ship, heads of oil and gas platforms, chief physician, heads of investigatory isolation wards, penitentiary establishments and so on) during the elections arrangement and they shall undertake responsibility defined by legislation for the accuracy, completeness and timely submission of the information.

1.4. The voters' list compiled on the basis of the submitted information on the voters in the above-stated places shall be checked and approved by the Precinct Election Commission at least 5 days prior to the voting day.

2. Rules for the elections arrangement in ships sailing under the State Flag of the Republic of Azerbaijan, oil and gas platforms

2.1. If the number of the voters in ships that navigate under the State Flag of the Republic of Azerbaijan, oil and gas platforms exceeds 50, the relevant Constituency Election Commission shall establish polling stations at least 50 days prior to the voting day. To this aim, the Constituency Election Commission shall specify the voters' number by applying to Azerbaijan State Caspian Navigation and State Oil Company of the Republic of Azerbaijan.

2.2. Polling stations in the places in item 2.1 of the Instruction shall be established in exceptional cases at least 5 days prior to the voting day and the heads of relevant bodies and other authorized persons (captain of the ship, heads of oil and gas platforms, etc.) shall be empowered with the voting organization. Such polling stations shall enter the structure of the election constituency where they locate in.

2.3. Delivery of the relevant documents to the ships that navigate under the State Flag of the Republic of Azerbaijan and oil platforms shall be ensured by the Caspian Shipping Company and the State Oil Company of the Republic of Azerbaijan. If the transmission of the information on voting results in the above-stated places in other ways is impossible, then it could be conveyed through transmitter and other communicational means.

3. Rules for the elections arrangement in places temporarily resided by voters (hospitals, sanatoriums and rest homes)

3.1. In accordance with items 2.1 and 2.2 of the Instruction, polling stations shall be established in the places temporarily resided by voters (hospitals, sanatoriums and rest homes). To this aim, the relevant Constituency Election Commission shall specify the number of voters by applying to the heads of the places temporarily resided by voters.

3.2. The voters in hospitals, sanatoriums and rest homes on the voting day shall be included in voters' lists basing on ID cards or substitute document in the polling stations established there. If not any polling station is established in these places on the voting day, then these voters shall be included in the voters' list of these polling stations basing on the information submitted to the Precinct Election Commission by the heads of these institutions for their voting. This information should contain full data of ID cards or substitute documents.

4. Rules for the elections arrangement in investigatory isolation wards and penitentiary establishments

4.1. Lists of voters (persons kept in institutions of confinement, accused persons, prisoners and other voters) on the precincts established within the institutions of confinement and detention places shall be specified by the PEC at least 20 days prior to the voting day based on information about the voters provided by heads of these institutions.

4.2. If not any precinct is established in institutions of confinement and pre-trial detention places, then administration of these institutions shall collect and specify information about the voters and submit it to the relevant Precinct Election Commission at least 35 days prior to the voting day.

4.3. Citizens who are detained in administrative manner and arrested during trial, shall be included in separate voters' lists by the PEC. Such information (indicating full data of ID card or its substitute document) shall be submitted to PECs at least 2 days prior to the voting day by the relevant courts adopted judgment on the arrest of the citizen or by the relevant executive authority that adopted decision on the detention of the citizen in administrative manner.

4.4. Persons with no valid court indictment and subject to imprisonment shall be included in voters' lists upon information provided to the Precinct Election Commissions by the administration of investigative facilities.

4.5. If not any polling station is established in institutions of imprisonment, investigatory isolation wards and temporary places of detainment, as well as, the voters in these areas apply with written application, then the conduct of voting shall be ensured in the above-mentioned areas by the relevant Precinct Election Commission.

4.6. Voting of the voters indicated in item 4.5 of the Instruction shall be arranged with mobile ballot box by the relevant Precinct Election Commission informed on the voters for their inclusion in the voters' list in a manner defined by Article 105 of the Election Code.

4.7. The persons detained in investigatory isolation wards, as well as, those arrested in penitentiary establishments shall vote with the document indicated in the List defined by Central Election Commission of the Republic of Azerbaijan and the document substituting ID card provided by Penitentiary Service of the Ministry of Justice of the Republic of Azerbaijan (the format of this document is verified by the Ministry of Justice upon the agreement with Central Election Commission).

5. Final provisions

5.1. Since the enforcement of this Instruction, the "Instruction on organization of elections in ships that navigate under the State Flag of the Azerbaijan Republic, oil and gas platforms located in the Azerbaijani sector of the Caspian Sea, in hospitals, sanatoriums, rest homes and detention institutions during Presidential elections of the Republic of Azerbaijan" approved by CEC Decision # 11/71 dated 12 June 2003, the "Instruction on organization of elections in ships that navigate under the State Flag of the Azerbaijan Republic, oil and gas platforms located in the Azerbaijani sector of the Caspian Sea, in hospitals, sanatoriums, rest homes and detention institutions during Referendum in the Republic of Azerbaijan" approved by CEC Decision # 1/4-3 dated 8 January 2009 shall be invalidated.
