

INSTRUCTION
**on the status of the authorized representatives of the candidate, political parties,
blocs of political party and referendum campaign groups in elections
(referendum) of the Republic of Azerbaijan**

The status of authorized representatives and authorized representatives on financial issues of the candidate (registered candidate) (hereafter referred to as candidate), political parties and blocs of political parties, referendum campaign groups in elections (referendum) (hereafter referred to as elections) of the Republic of Azerbaijan shall be determined in accordance with Articles 52 and 64 of the Election Code of the Republic of Azerbaijan (hereafter referred to as Election Code) and this Instruction.

I. The rule for appointing authorized representatives and bases of their activity

1.1. Candidate and initiators of establishing campaign groups on referendum can appoint authorized representatives in order to implement election actions implied by Election Code. Political parties and blocs of political parties that nominated their candidates shall appoint their authorized representatives. Authorized representatives of the candidate, political parties, blocs of political parties, campaign groups on referendum, as well as authorized representatives on financial issues of political parties, blocs of political parties and campaign groups on referendum shall be appointed within their competency on the will of the candidate, by the decision by the convention, conference of political parties that enter the bloc, session of the leading body or joint session of the representatives of political parties, session of campaign group on referendum.

1.2. The number of authorized representatives of the candidate, political parties, blocs of political parties shall be defined basing on their own discretion according to the legislation.

1.3. The number of authorized representatives of campaign groups on referendum who have been registered at Central Election Commission of the Republic of Azerbaijan (hereafter referred to as the CEC) should not exceed 25 and the number of authorized representatives of campaign groups on referendum who have been registered at Constituency Election Commission (hereafter referred to as the Con.EC) should not exceed 5.

1.4. Authorized representatives of political parties, political party blocs and campaign groups on referendum shall implement their functions and authorities in limits defined in the powers of attorney based on the decision of joint session, convention or conference of representatives of political parties, political parties entering bloc that for authorized representatives indicate surname, name, patronymic, date of birth, serial number of ID card or its substitute document, address of residence, working place, position or service (if not any-then type of activity) and for authorized representatives on financial issues based on financial documents, stamp samples for these documents and powers of attorney provided to them by the group.

1.5. Authorized representatives and authorized representative on financial issues of political parties shall be provided with powers of attorney made official in the case implied by Civic Code of the Republic of Azerbaijan, for authorized representatives and authorized representative on financial issues in the case implied by Civic Code of the Republic of Azerbaijan and in notary order, for authorized representatives and authorized representative on financial issue only in notary order (Appendixes # 3, 3a, 3b, 3c, 3d, 3e, 3f and 3g made to the Instruction).

1.6. Lists of authorized representatives of political parties, political party blocs shall be compiled in the case and rule defined by Central Election Commission and shall be submitted to Central Election Commission. Excluding authorized representatives of political parties, political party blocs on financial issues, lists of other authorized representatives shall be submitted to the Con.EC. Lists of authorized representatives and authorized representative on financial issues of campaign group on referendum shall be submitted to the relevant election commissions (CEC or Con.EC) which registers this group (Appendixes # 2 and 2a made to Instruction).

1.7. Letter on consent of each person to be an authorized representative shall be attached to the submitted list (Appendixes # 1 and 1a made to the Instruction), as well as two photos of 3X4 size shall be attached to the list by taking notes at the back side of the photo that allow to identify the personality of this person. Authorized representatives, authorized representatives on financial issues of political parties, political party blocs, campaign groups on referendum shall be provided with the card prepared in the form defined by Central Election Commission (Appendixes # 4, 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h made to Instruction). On the voting day, the authorized representative should have this badge while being in the voting room¹.

¹ *Like other participants of elections (referendum), authorized representatives shall also abide the following terms mentioned by Article 2.6 of Election Code:*

- *respect freedom of press;*
- *not to prevent representatives of mass media engaged in his/her occupation, not to interfere in election (referendum) campaigns of candidates, political parties (political party blocs) and not to break it;*
- *not to prevent dissemination of pre-election campaign materials;*
- *not to destroy pre-election (referendum) posters and other similar campaign materials;*
- *not to hinder the conduct of pre-election (pre-referendum) mass activities;*
- *to cooperate with election (referendum) bodies and their officials for free, independent, quiet and organized conduct of elections (referendum);*
- *not to prevent voters from expressing their will in free and independent form;*
- *respect and cooperate with the authorized persons and observers;*
- *to keep and help keeping secrecy of the voting;*
- *not to make voters to support him/her by illegal actions;*
- *not to interfere in the activities of election (referendum) commissions on the groundless reasons and not to violate the process of vote counting;*
- *to respect the results of elections (referendum) approved by law, to submit each complaint on elections (referendum) to the authorized body and abide the decision on this complaint by this body;*
- *not make speeches calling for menace, slander and violence and not to disseminate such materials;*
- *not to reward voters and not to menace them by penalty;*
- *not to use national, municipal and other public resources in the cases not implied by Election Code;*

- *not to involve voters to vote or prevent from voting by making pressures upon them or offer presents or by illegal methods;*
- *not to make voters to participate or not to participate in campaign groups on referendum, to nominate or not to nominate their candidacies, to withdraw or not to withdraw their candidacies, to participate or not to participate in pre-election (referendum) campaign by making pressures upon them or offer presents or by illegal methods;*
- *not to use assistance or activity of any incumbent in the support of the issue put in referendum or support of the candidate.*

II. Rights of authorized representatives actions banned for them

2.1. Authorized representatives² of candidates, political parties or political party blocs, campaign groups on referendum shall have the following rights and duties:

- 2.1.1. to submit election documents to the CEC for candidate registration;
- 2.1.2. to receive written reference on providing CEC with signature sheets and take part in checking signatures;
- 2.1.3. get the copy of the protocol on the results of checking signature sheets;
- 2.1.4. get the copy of the decision on candidate registration within one day after the day of adoption of this decision;
- 2.1.5. to be warned of mistakes made in election documents submitted for candidate registration and prevention of which is possible within 24 hours and to correct these mistakes;
- 2.1.6. to attain list of precincts and Precinct Election Commissions (PECs) with their boundaries, addresses and telephones and addresses of voting places from relevant Con.ECs;
- 2.1.7. to take part in lottery conducted for determining the date of publication of pre-election campaign materials and allocation of airtime for registered candidates, political parties, political party blocs, campaign groups on referendum;
- 2.1.8. to apply to the editorial offices of periodicals related to the publication of pre-election materials on the paid basis;
- 2.1.9. get list of places allocated for locating pre-election campaign materials from relevant election commission;
- 2.1.10. to observe election procedure as an observer³;
- 2.1.11. to be familiarized with voters' lists;
- 2.1.12. to be in the voting room of the relevant polling station on the voting day at any time he/she wants;

² *Political parties, blocs of political parties, campaign groups on referendum charges their authorized representatives on financial issues with providing financial reports. When the authorized representative on financial issues submits signature sheets to the CEC for three times during his/her term of office, then report should be provided at latest 10 days up to the voting day and at latest 10 days after the day of official publication of electoral results.*

³ *The PEC Secretary prepares a list of all persons who will be in the voting room and will observe the election processes.*

- 2.1.13. to observe the inking of voters' fingers and inspecting via ultraviolet lamps;
- 2.1.14. to observe issuing ballot papers to the voters;
- 2.1.15. to observe voters' voting outside the polling station;

- 2.1.16. to observe the counting of the voters, ballot papers and canceled ballot papers;
- 2.1.17. to require including the results of the observation in the protocol of the election commission⁴;
- 2.1.18. to observe the counting of the voters' votes without interfering in legal activity of election commissions, in a condition providing the conduct of observation and at a certain distance, during counting the votes to eye each ballot paper completed or incomplete in order to check the validness of the vote, be familiarized with the voting returns and the protocol of the election commission on the election returns and other election documents;
- 2.1.19. to take part in parallel counting of votes;
- 2.1.20. to apply to the chairman of the precinct election commission or in the case of his absence the person who substitutes him/her with suggestions and comments related to the arrangement of the voting;
- 2.1.21. to get free of charge and make a copy of the approved singles of the documents of election commissions, protocols on the electoral returns and voting results, included attachment documents adopted and compiled by the election commissions since the start of the work of the election commission on the voting day and locking of the ballot boxes up to adoption of the protocols on the voting results by the election commissions, to buy and make a copy of the additional copies with the payment defined by the CEC;
- 2.1.22. to be familiarized with the list of the persons participated in the voting;
- 2.1.23. to observe re-counting of the voters' votes in the relevant election commissions;
- 2.1.24. to observe providing the Con.EC and CEC with the election documents;
- 2.1.25. to apply to the court from the decision of the relevant election commission, actions or inaction of its officials;

⁴ *When the opinions compiled on the results of observation are submitted to the chairmen of relevant commissions, this opinion should be attached to the protocol on general electoral results or on the voting results.*

⁵ *On the voting day, the list of the persons who are in the voting room and observe implementation of election actions shall be conducted by Secretary of the Precinct Election Commission.*

2.1.26. other actions not prohibited by law⁶.

⁶ *During the observation, the authorized representative shall certainly abide the principles of conducting observation (not to influence election process in the interest of a candidate or political party, consideration of all cases and facts on the observed actions, fair conduct of observation and basing the results of observation on facts). He/she shall make official the revealed facts in the defined case (by compiling relevant act on this) and draw attention of the interested persons to making these facts official as possible. In order to ensure fairness in election process, elimination of the presumed incompatibilities and consequences of the allowed incompatibilities, expediency of drawing the attention of the relevant commission to these cases shall be permanently kept under attention.*

2.2. It shall be prohibited for authorized representatives of candidates, political parties or political party blocs, campaign groups on referendum to do the following actions:

2.2.1. to deal with charity activities during election campaign in order to influence elections;

2.2.2. to render material and financial assistance to other physical and legal entities, financial assistance to voters and organizations, to apply with the suggestions to render financial or service assistance in order to influence elections;

2.2.3. while being official, journalist in TV and radio broadcasts and mass media and creative worker, to lighten election procedure via mass media;

- 2.2.4. usage of their posts and service positions by authorized representatives having certain posts in state and municipal bodies during election procedure;
- 2.2.5. to provide voters with ballot papers;
- 2.2.6. to inquiry to the voter about how he/she voted or will vote;
- 2.2.7. to sign on getting ballot paper instead of the voter with his/her own request;
- 2.2.8. to complete the ballot paper with the request of the voter;
- 2.2.9. to participate directly in the counting of ballot papers together with the members of election commissions having decisive rights;
- 2.2.10. to interfere the work of election commissions;
- 2.2.11. to campaign among voters;
- 2.2.12. to act or call directed in support of this or other candidate and political party, political party bloc (question put under referendum) or that can be valued as their support;
- 2.2.13. to interfere in the adoption of the decisions of relevant election commission;
- 2.2.14. to ink voters' fingers or check the inking of their fingers with ultraviolet lamps;
- 2.2.15. to reply to the questions of voters (excluding questions related to his/her own status);
- 2.2.16. to do other actions (inaction) prohibited by law.

III. Term of office and termination of authorities of authorized representatives (authorized representatives on financial issues)

- 3.1. Term of office of the authorized representatives of the candidate, political parties, blocs of political parties, campaign groups on referendum shall commence since their appointment end not later than the day of official publication of general electoral (referendum) results.
- 3.2. In order to arrange the collection of necessary signatures, as well as to implement actions defined by Election Code in the name of campaign group on referendum, the authorities of the authorized representative of campaign group on referendum can be preserved after the registration of campaign group on referendum by the decision of this group.
- 3.3. By warning relevant election commission, registered candidates, political parties, political party blocs, campaign groups on referendum can call their authorized representatives back and appoint others. If there is such warning, election commission shall consider the card of the authorized representative called back invalid.
- 3.4. An authorized representative can return the card submitted to him/her to the relevant election commission on his/her own initiative by warning registered candidate, as well as political parties or political party blocs, campaign groups on referendum at any time and refuse from his/her authorities.
- 3.5. Authorities of the authorized representative shall be terminated in cases and manner implied by legislation.