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INSTRUCTION

on rules for submission and examination of complaints and appeals on the violation of election rights filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions

The Instruction adopts the Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan as a basis and defines the rules for filing and considering the appeals and complaints on the violation of election rights submitted to the Central Election Commission and Constituency Election Commissions.

General requirements on filing of complaints

1. Rules, period and form of filing complaints on actions (inactions) and decisions that violate citizens' rights to vote

1.1. Complaints that are specified in Article 112 of the Election Code of the Republic of Azerbaijan may be filed within 3 days of the date the decision violating citizens' right to vote is published or made, or the date actions (inactions) occurred, or the interested person is informed about it.

Generally complaints are filed in a written form. If they can't be filed in a written form, in exceptional cases, it is possible to file complaints in verbal form, through telephone, or with the help of e-mail.

1. 2. Period for filing a complaint shall start from the moment when the right to do so is provided (e.g. from the date the decision violating citizens' right to vote is published or made, or the date actions (inactions) occurred, or the interested person is informed about it) and shall terminate when the complaint is submitted to the post office or any commission.

1. 3. Complaints regarding the decisions of precinct election commissions (hereinafter referred to as PEC), action (inaction) of the PEC chairpersons shall be submitted to the relevant constituency election commission (hereinafter referred to as Con.EC).

1.4. Complaints regarding the decisions of Con.ECs, action (inaction) of the Con.EC chairpersons, complaints covering several election constituencies (as well as violation of rules related to the pre-election campaigns) shall be submitted to the Central Election Commission (hereinafter referred to as CEC).

1.5. If a member of the relevant expert group fails to take measures that satisfy the citizen who filed the complaint, a complaint regarding the action (inaction) of the group member may be filed according to the rules and time period specified in Articles 1.1. and 1.4 of this Instruction.

1.6. If there is a violation of rights upon processing of a complaint (as well as refusal to process the complaint on an unsubstantial basis) at the Con.EC, in that case, the CEC shall undertake measures within its authority to impose liability on the relevant official of the Con.EC and its expert group in compliance with the rules specified in the legislation.

1.7. Complaints regarding the decisions and actions (inactions) of the CEC, actions (inactions) of the CEC chairperson shall be submitted to the relevant appeal court in accordance with Articles 8.1.2 and 130.1 of Administrative Procedural Code of the Republic of Azerbaijan.

2. General requirements on complaints

2.1. Written complaints submitted to the Con.EC and the CEC must contain the following:

2.1.1. The name of the commission addressed;

2.1.2. The name of a complainant (and address for sending a notification on complaint processing);

2.1.3 Decision, action, inaction, which are the subject of a complaint;

2.1.4. If it is a decision, it must be attached to the complaint, names of the election commission or state agency, which made the decision that is the subject of a dispute, and the official involved must be indicated;

2.1.5. If it is an action, the name (position) of the person who committed the unlawful action, the substance of the action, and the place and time of it must be clearly indicated (unlawful action is committing of an act prohibited by the law by a person or an agency);

2.1.6. If it is inaction, the applicant must indicate the demand which was not considered and the name of the institution or person that did not consider it (unlawful inaction is not committing of an act required by the law by a person or agency);

2.1.7. The basis for the complaint can be an assumption of a violation of the Election Code and other legislative and normative acts (if possible provide an exact reference to the specific provision of the law);

2.1.8. Evidence on purported violation or explanation of a violation;

2.1.9. Request of the complainant;

2.2. The applicant must indicate the date and sign the complaint. If the complaint is filed by political parties or a bloc of political parties participating in the elections, then the complaint must be signed by the authorized representative with his/her authorization documents attached.

2.3. The applicant must also indicate his/her intention related to the participation in investigation (session) process of the complaint.

2.4. Election commission official receiving both verbal and written complaints shall ensure the recording of all above-mentioned requirements.

2.5. If any of the requirements specified in Article 2 of this Instruction lack and as a result, the request is not clear, then the complaint shall be sent back to the applicant.

2.6. Anonymous complaints submitted to the relevant election commissions shall not be considered and they shall be archived after the entry.

2.7. Refusal of receiving and processing complaints that complies with the duties of the official, as well as not recording the required information specified in the item # 2 of this Instruction when the verbal complaint is received shall impose liabilities outlined in Article 115 of the Election Code.

3. Rules for registration of complaints at the Con.EC and CEC

3.1. The relevant election commission shall register received complaints on a registry in a progressive order with dates of reception (See attachments 2 and 2a of this Instruction).

3.2. Registration of the complaints received by the election commissions shall be ensured by the commission secretariat. If a complaint is submitted individually to the expert group member, in that case, the complaint must be submitted to the secretariat for registration and issuing of a receipt.

3.3. If a complaint is submitted in verbal form, in that case, it should be registered after obtaining and recording all the required information specified in the item # 2 of this Instruction by the election commission secretariat staff or the expert group member.

3.4. Upon the reception of appeals through telephone or internet by the relevant election commission, the applicant shall be informed about his/her rights, and if possible, be provided with an immediate response.

4. Requirements to be upheld by the election commission upon the reception of complaints and appeals

4.1. Issues under the authority of the relevant election commissions shall completely comply with the following requirements:

4.1.1. Complaints and appeals shall be submitted by the entitled persons (voters, candidates, registered candidates, political parties, blocs of political parties, referendum campaign groups, agents of registered candidates, political parties, blocs of political parties, referendum campaign groups, observers, and election commissions according to the Article 112.1 of the Election Code) who have the right to do so;

4.1.2. Complaints shall be submitted according to the rules and time period specified by the law, within 3 days after the decision has been made, actions (inactions) have occurred, or the interested person has been informed about it;

4.1.3. No previous decision regarding the same complaint must have been made by the authoritative election commission to which the complaint has been filed to;

4.1.4. Complaints and appeals must be submitted to the election commission that have the authority to make a decision on the substance of the complaint, as specified in the Election Code;

4.1.5. Consideration of the complaint on its substance should be possible by the election commission.

4.2. The election commissions shall not make a decision on implementation or refusal of the complaint on its substance, if any complaint or appeal lies outside the boundaries of their authority. In that case, a decision shall be made on sending the complaint on appropriateness.

EXPERT GROUPS WITHIN THE CON.EC AND CEC

5. Rules for the establishment of Expert Group and Expert Group structure. Expert group Coordinator

5.1. In order to conduct an investigation of complaints according to the rules specified in Article 112-1.1 of the Election Code of the Republic of Azerbaijan, relevant expert groups shall be created at the CEC composed of 9 members,

and at the Con.EC composed of 3 members. These groups shall be created after the decision of a respective election commission at least 60 days prior to Voting Day.

5.2. During the appointment of an expert group member professionalism, ability to conduct factual and legal analyses, professional experience in the field of elections and existence of high public confidence in the impartiality of his/her activity shall be considered. Election secretariat staff who meets the above requirements, as well as, non-lawyer commission members shall be included in the group. Commission members who are lawyers by profession may also be included in the expert groups. If a commission secretariat staff is included in the expert group, and provided that this person is involved in the conduct of an investigation, in that case, he/she shall not be assigned for any other task of the secretariat.

5.3. Excluding extraordinary circumstances, relevant election commissions may not dismiss an expert group member during the election period or while complaints regarding the elections remain unimplemented in the relevant constituencies.

5.4. The election commission shall publish the decision on the establishment and the structure of the expert group within 24 hours upon its adoption.

5.5. Duties of the expert groups shall commence from the day the decision on its creation has been made by the election commission and shall terminate on the official publication day of general election results.

5.6. During the investigation of complaints expert group member is independent and carries liability only by the law.

5.7. Expert group members shall be provided with necessary facilities by the election commissions.

5.8. After the creation of an expert group, the secretary of a respective election commission shall also function as a coordinator of this group. Coordinator is not included in the expert group and through assisting the group in its work; he/she pays attention to that it functions according to the law. If a secretary of a relevant election commission is unable to perform the duties of a coordinator because of a substantiated reason, in that case, these duties shall be carried out by one of the experts upon the request of the secretary.

5.9. Expert group coordinator shall perform the following duties:

5.9.1. To obtain regular information on the distribution of work load between the expert group members;

5.9.2. To obtain regular information on the status, time period, and other

issues related to the complaint processing on the basis of distribution of work distribution between the expert group members;

5.9.3. Upon the request of an expert who is dealing with the case or on his own initiative, assign other group members to this investigation process, if there is a need for the involvement of additional experts for the consideration of a specific complaint;

5.9.4. To convene an expert group meeting if necessary and discuss the status of complaint processing;

5.9.5. To undertake necessary organizational and other measures to ensure efficient function of the expert group;

5.9.6. To ensure the preparation of expert recommendations and commission draft decisions in compliance with the legislation;

5.9.7. To discuss with the commission chairperson the schedules for hearing of specific and/or collective complaints at the commission sessions according to the investigation deadlines.

6. Authorities of the expert group members

6.1. The expert groups shall have the below authorities:

6.1.1. To request additional information related to the complaint;

6.1.2. To make its own inquiries and investigations;

6.1.3. To appeal to the state agencies through commission chairpersons for obtaining additional information;

6.1.4. To obtain additional evidences (videos, notes, correspondence, etc.);

6.1.5. To use the assistance of the commission (commission members) and secretariat staff if required;

6.1.6. To undertake other measures with regard to complaint investigation in compliance with the legislation if requested;

6.1.7. To submit recommendation and draft decisions along with the investigation materials to the relevant election commission.

7. Procedures on investigation of complaints by the expert group members

7.1. After the registration of a complaint by election commission and its assignment to the expert, the same expert shall ensure the initial review of the complaint. If the expert realizes that the rules on reception of a complaint specified by the Election Code and this Instruction have been violated, in that

case, he/she shall make a recommendation about the return of the complaint to the applicant after informing the group coordinator about the matter.

7.2. After the initial review of the complaint, if the expert concludes that the complaint is under the competence of the relevant election commission that received the complaint or of any other agency, in that case, the expert group member must recommend the relevant election commission to consider the complaint on its substance and undertake necessary measures to resolve the issues within the authority of a commission, as well as forward other issues that fall within the competencies of another agency to that agency for consideration.

7.3. If the election commission receives a complaint from the election subjects that contains criminal actions related to the elections, in that case, the expert group member must recommend the relevant election commission to undertake necessary measures to resolve the issues within the authority of a commission, and make a substantiated decision on notifying the Prosecutor's Office about the actions, provided that these actions bear criminal liabilities according to the Criminal Code. (A copy of the complaint shall be attached to the information provided)

7.4. If the expert group member of the Con.EC has difficulties in concluding whether there are, indeed actions that bear criminal liabilities according to the Criminal Code during the investigation of a complaint, in that case, he/she must recommend the relevant election commission to undertake necessary measures to resolve the issues within the authority of a commission as specified in the Election Code. Moreover, in this recommendation, the expert group member must indicate the necessity of forwarding this complaint to the CEC for further investigation.

7.5. Upon the investigation of a complaint, the expert group member of the CEC shall additionally adhere to the below requirements:

7.5.1. Recommends the adoption of a relevant decision by the Central Election Commission following the Articles 60.6, 68.5, 87.9, 88.7, 88.8, 113, 115 and 116 regarding the complaints about illegal actions of other agencies and officials that are not related to the actions (inactions) or decisions of the election commissions;

7.5.2. If a written complaint is of a criminal nature but does not relate to elections, recommends the CEC to forward such complaint to the relevant Prosecutor's Office immediately;

7.5.3. Upon reviewing the complaint received from the Con.EC, concludes whether the violation indicated in the complaint could possibly be considered as a crime according to the provisions of the Criminal Code;

7.5.4. If the cases specified in the item 7.5.3 of this Instruction or any other

violations are not detected in the complaint received by the CEC, prepares recommendation on the filing the complaint.

7.6. During the investigation of a complaint by an expert, complainant has the right to submit documents and other new additional evidence. After the reception of a complaint by an expert for investigation, he/she shall inform the complainant in person or through telephone or post office about the commencement of investigation and the right of a complainant to submit additional evidence related to this.

7.7. If the substance of a complaint is related to the lack of action or decision, of the relevant election commission with regards to the legal request of a complainant, the expert shall clarify this inaction or absence of a decision with the secretariat of a relevant commission.

7.8. Expert, investigating the complaint shall prepare a recommendation within 3 days if less than 30 days remain up to the voting day within 2 days (no later than the voting day), as well as, immediately on voting and following day after the reception of a complaint by the relevant election commission. If the additional investigation is required, in that case, the expert group member may petition for the extension of the abovementioned time periods at the election commission, after informing the expert group Coordinator. Provided that the election commission considers this petition substantiated, it shall make a decision about the conduction of additional investigation. The period of additional investigation shall not exceed 3 days. Such a decision shall be adopted within 3 days, if less than 30 days remain up to the voting day within 2 days (no later than the voting day), as well as, immediately on voting day.

7.9. Expert group members may make the following recommendations at the result of complaint processing:

7.9.1. Cancellation of the decision of a lower election commission;

7.9.2. Warning the election actor in conformity with Article 113.1 of the Election Code;

7.9.3. Refusal from registration of a candidate in cases established by Article 113.2 of the Election Code;

7.9.4. Appealing to the court for refusal from registration of a candidate in cases established by Article 113.2 of the Election Code;

7.9.5. Instructing to re-examine the issue raised by the applicant by the relevant election commission.

7.10. Expert group members shall consider the following issues upon making a recommendation:

7.10.1. Complaints must be submitted by the entitled persons (voters,

candidates, registered candidates, political parties, blocs of political parties, referendum campaign groups, agents of registered candidates, political parties, blocs of political parties, referendum campaign groups, observers, and election commissions according to the Article 112.1 of the Election Code) who have the right to do so;

7.10.2. Complaints must be received in compliance with the rules and time period specified in the legislation, meaning that within 3 days after the decision has been made, actions (inactions) have occurred, or the interested person has been informed about it;

7.11. Expert recommendation is made and prepared with the agreement of the Coordinator and announced or published (also posted on the web site with the exclusion of recommendations made by the Con.EC expert groups) within the next 18 hours and delivered or sent to the complainant. Besides making a recommendation on the investigated complaint, the expert group member shall also prepare the draft decision of the Con.EC regarding this complaint. Draft decision shall be factually and legally substantiated, approved by the expert group Coordinator and subsequently the case regarding the complaint shall be included by the election commission chairperson in the commission's session agenda. Recommendation and draft decision shall also be delivered to the commission members before the relevant session within the time periods specified in Articles 19.8 and 19.14 of the Election Code. After the conclusion and publication of the expert recommendation, it must be discussed at the election commission session under the rules specified in the item 9 of this Instruction.

Rules for complaint processing at the Con.EC and CEC

8. Steps to be followed by the Con.EC and CEC after the receiving of the complaints,

8.1. The election commissions shall perform the followings after the reception of a complaint:

8.1.1. To receive and register a written complaint;

8.1.2. If the complaint is submitted in verbal form, in that case, to fill out the Attachment 1 and 1a to this Instruction in compliance with the rules specified in the Instruction or provide the complainant with the opportunity to do so;

8.1.3. To receive the complaints submitted in person and provide the person who submitted it with a relevant receipt;

8.1.4. Commission secretariat informs the chairperson about the entry of a complaint after the registration of the very same complaint according to the

item 3 of this Instruction.

8.2. On the day of reception, the chairperson divides registered complaints into 2 categories:

8.2.1. appeals against a previous decision, action or inaction of a lower commission or commission chairmen; and

8.2.2. other appeals.

8.3. Each category shall have its own progressive order.

8.4. After this, the chairperson assigns one complaint according to the progressive order to each expert group member on the basis of progressive distribution.

8.5. Subsequently, the complaint must be submitted to the expert group member for processing, in compliance with the item 7 of this Instruction.

8.6. If an appeal or complaint has been filed through violating the destination rules, a decision shall be adopted to send that appeal respectively on destination.

8.7. If the complaint or appeal is under the jurisdiction of the relevant election commission that received the complaint or of any other election commission or agency, in that case, the relevant election commission shall make a decision on consideration of the complaint on its substance and implementation of necessary measures to resolve the issues within its authority, as well as, to make a decision on forwarding other issues that fall within the competencies of another agency to that very same agency for consideration.

8.8. If the received written complaint does not relate to the elections, but contains criminal actions, in that case, following the standard procedures of complaint reception and distribution, the relevant election commission shall forward this complaint to the relevant Prosecutor's Office.

8.9. If the election commission receives a complaint from the election actors that contains criminal actions related to the elections, in that case, following the standard procedures of complaint reception and distribution, the election commission shall undertake necessary measures to resolve the issues within its authority, and subsequently make a substantiated decision on notifying the Prosecutor's Office about the actions, provided that the commission concludes that these actions bear criminal liabilities according to the Criminal Code of the Republic of Azerbaijan. A copy of a complaint shall be attached to the notification. If the Con.EC has difficulties in concluding whether there are, indeed, actions that bear criminal liabilities according to the Criminal Code during the investigation of a complaint, in that case, the relevant commission

shall make a decision to undertake necessary measures to resolve the issues within its authority. Moreover, it shall forward the complaint to the CEC for making a recommendation.

8.10. If the subject of a complaint is related to the lack of action or decision, of the lower election commission or the commission chairman with regards to the legal request of a complainant, the matter shall be discussed at the session of a commission after clarifying it with a respective expert group member.

8.11. Upon the reception of a complaint or appeal by the CEC, it shall perform the functions specified in Article 8 of this Instruction. Additionally, the CEC shall also resolve the below indicated issues:

8.11.1. To undertake relevant measures in accordance with the Articles 60.6, 68.5, 87.9, 88.7, 88.8, 113, 115 and 116 regarding the complaints about illegal actions of other agencies and officials that are not related to the actions (inactions) or decisions of the election commissions;

8.11.2. Employing a respective methodology, General Department of the CEC shall oversee the timely and appropriate processing of complaints at the CEC and the Con.ECs. The department shall report to the chairperson of the CEC at least once in 10 days about the status of complaint processing. The status of complaint processing at the CEC and the Con.ECs may be discussed at least once a month at the sessions of the CEC. The status of complaint processing regarding the complaints received through telephone or internet may be included in the CEC session agenda upon the request of the CEC members according to Article 19.12 of the Election Code of the Republic of Azerbaijan.

8.12. Chairpersons of the relevant election commission shall carry responsibility for the status of complaint processing within their election commission.

9. Rules for investigation of complaints at the Con.EC and the CEC sessions

9.1. If the applicant has indicated his/her intention to participate at the session, he/she shall be informed in person or through telephone or post office about the place and date of the session one day prior to it. The absence of this applicant shall not impede the conduction of the session. Even though the applicant has not been informed about the session, he/she shall be given an opportunity to attend it if he/she desires so.

9.2. As a general rule, the expert group member of the Con.EC or the CEC shall present a brief report regarding the case during the session. If the complainant or his/her authoritative representative is not satisfied with the report, in that case, the complainant or his/her authoritative representative is

entitled to make a short presentation to explain the issues of the complaint.

9.3. At the session, the complainant may present additional evidences that he/she did not provide for the expert group member during the early investigation process because of reasonable causes. In that case, after making his/her presentation, submitting additional evidence, and after the completion of initial investigation, upon the request of a person chairing the session, he/she shall leave the session room from the moment the discussion for the decision starts until the decision announcement. The decision shall be announced immediately after the adoption.

9.4. The Chairperson (or the head of the session) has the power to conduct the session in the most appropriate way, respecting the legal rights of electoral subjects and commission members, as well as considering the agenda of the session, quantity of complaints, legal deadlines, and conduction of investigation on complaints. Every participating person, including the commission members, must adhere to the chairperson's decisions on the conduct of the session. If necessary to maintain the discipline, the chairperson can take appropriate measures (by warning to leave the session). If a warning, leaving a session, or other measure is taken, it will be recorded in the session protocol.

9.5. If the commission adopts the draft decision recommended by expert group, in that case, the final decision of the commission shall be prepared in a version provided by the expert group. If the commission declines the recommended decision, in that case, the chairperson shall propose to the dissenting commission member(s) to prepare a new draft decision that rests upon the relevant evidence and law. If the commission concludes that there is a need for re-investigation of the same complaint by the expert group, the investigation of this complaint shall be assigned to another member of the expert group. This member of the expert group shall conduct relevant investigation in compliance with the rules and time period (if necessary, within shortened time period) and submit the case for reconsideration by the commission.

9.6. Relevant commission that investigates the complaint or appeal shall make a decision in compliance with the deadlines specified in Article 112.10 of the Election Code. If there is a need for further investigation beyond the time frame, the commission may adopt a decision on the matter. Such a decision shall be adopted within 3 days if less than 30 days remain up to the voting day within 2 days (no later than the voting day), as well as, immediately on voting day. Additional period for investigation shall not exceed 3 days.

10. Decision of the Con.EC and CEC regarding the complaints

10.1. Election commission processing the complaint has below authorities:

- 10.1.1. To annul the decision adopted by the lower election commission;
 - 10.1.2. To consider the complaint, implement or to not implement it:
 - 10.1.2.1. To warn an electoral subject, according to Article 113.1 of the Election Code;
 - 10.1.3. To refuse the candidate registration, under circumstances in Article 113.2 of the Election Code;
 - 10.1.4. To appeal to court for invalidation of a candidate registration, after it had been registered, according to Article 113.2 of the Election Code;
 - 10.1.5. To give instruction to expert group member or lower commission to review the issue which the complaint was lodged about;
 - 10.1.6. If the complaint is not under the jurisdiction of a relevant commission, forward the complaint to a respective agency;
 - 10.1.7. To make a decision on notification of the respective Prosecutor's Office for consideration of complaints on elections that contain criminal actions.
- 10.2. If there is a basis specified in item 7.9 of this Instruction, the CEC shall make a decision in accordance with the requirements of Articles 60.6, 68.5, 87.9, 88.7, 88.8, 113, 115 and 116 of the Election Code.
- 10.3. The Con.EC shall make a decision on forwarding a complaint to the CEC for making a recommendation according to the rules and on the basis of conditions specified in item 8.9 of this Instruction.
- 10.4. Decision of the election commission regarding the complaint shall be adopted in a written form within 3 days if less than 30 days remain up to the voting day within 2 days (no later than the voting day), as well as, immediately on voting day. The decision shall be announced immediately after the adoption or published within the next 18 hours (CEC decisions are also posted on the website) and a copy of a decision shall be delivered or sent to the complainant. In case of a temporary decision, the copy of that decision shall be sent to the complainant. All decisions shall be logically and legally motivated and as well as substantiated.
- 10.5. If a commission has adopted a decision regarding the complaint, it shall inform the complainant about it.

Note1: Article 25. Duties of the Central Election Commission

25.1. The Central Election Commission shall ensure preparation and holding

of presidential elections, elections of deputies to the Milli Majlis of the Republic of Azerbaijan, as well as referendums and municipal elections.

25.2. The Central Election Commission shall carry out the following general duties:

25.2.1. provides for the observation of people's right to suffrage during preparation and holding of elections (referendum), carry out the measures related to financing of elections (referendums), and ensure the equal and correct application of the relevant Articles of this Code.

25.2.2. considers within its authority the complaints related to violation of rules set forth in this Code, and make grounded decisions.

25.2.3. establishes Constituency Election Commissions in accordance with its own formation principles.

25.2.4. supervise the activity of Constituency and Precinct Election Commissions;

25.2.5. establishes standards for technical equipment necessary for the activity of election commissions, approve those standards and supervise their implementation and observation;

25.2.6. ensures the delivery of ballot papers (referendum ballots) (hereinafter the ballot papers), envelopes for ballot papers, protocols, de-registration cards and other election (referendum) related documents (hereinafter "election documents") to the Constituency Election Commissions;

25.2.7. ensures preparation and holding of elections (referendums), implement training programs related to the development of the election (referendum) system, increase the legal awareness of voters, instruct and provide professional development programs for election commission;

25.2.8. creates conditions for pre-election campaign for candidates, registered candidates, political parties, blocs of political parties and conditions for pre-referendum campaigns for referendum campaign groups, within the territory of an election constituency; approve the unified regulations for distribution of air time among registered candidates, political parties, blocs of political parties and referendum campaign groups, and specify the rules for publication of election and referendum results;

25.2.9. distributes funds allocated from the State budget for preparation and holding of elections (referendums), and supervise their spending for the specified purposes;

25.2.10. renders legal, methodical, technical and organizational assistance

to election commissions;

25.2.11. approves samples of ballot papers, envelopes for ballot papers, voters' lists, de-registration cards, voting protocols and other election documents, and ensure their preparation and protection;

25.2.12. approves the rules for maintenance of election materials and their storage in archives;

25.2.13. approves standards for providing election commissions with technology and supervise their observation; approve samples of seals of election commissions;

25.2.14. supervises funding of pre-election campaigns;

25.2.15. provides voters with information about the timeframe and rules to exercise voters' actions, and the course of elections (referendums);

25.2.16. supervises the provision of election commissions with premises, transportation and communication means, and solve other logistic issues related to the elections (referendum);

25.2.17. compiles an integrated voters' list in conjunction with relevant executive authorities and municipal bodies;

25.2.18. gets information from relevant executive authorities and municipal bodies on issues related to preparation and conduct of elections;

25.2.19. ensures use of the State Computerized Information System on a basis of same rules;

25.2.20. registers observers and provide them with badges of an appropriate design;

25.2.21. defines its own regime of routine work, pursuant to Articles 28.1 and 28.5 of this Code;

25.2.22. cancels illegal decisions of election commissions, present information to the relevant commission with regard to the chairmen and secretaries of the election commissions not appropriately fulfilling their responsibilities; and

25.2.23. carries out other responsibilities in accordance with this Code.

Article 31. Duties of Constituency Election Commissions

31.1. The Constituency Election Commissions shall perform the following general duties:

31.1.1. supervise observation of suffrage of citizens of the Republic of

Azerbaijan in the territory of the election constituency;

31.1.2. consider, within its own authority, complaints related to the violation of rules set forth in this Code, and make grounded decisions;

31.1.3. create proper conditions for the pre-election activities of candidates, registered candidates, political parties, and blocs of political parties in the territory of the election constituency, as well as conditions for prereferendum activities of referendum campaign groups;

31.1.4. designate the Precinct Election Commissions in the territory of election constituency and ensure the numbering of precinct commissions on the basis of a unified rule;

31.1.5. ensure delivery of ballot papers, envelopes for ballot papers, protocols, de-registration cards and other election documents to Precinct Election Commissions;

31.1.6. distribute funds allocated for preparation and holding of elections (referendums) among Precinct Election Commissions, and supervise the use of these funds for their specified purpose;

31.1.7. receive information from the relevant executive authority bodies and municipalities related to issues on preparation and holding of elections (referendums);

31.1.8. inform voters about the rules and terms of performance of election activities during the course of elections (referendums), and publish information on registered candidates and preliminary election (voting) results;

31.1.9. ensure the provision of Precinct Election Commissions with premises and means of transportation and communication, and supervise the fulfillment of relevant decisions regarding the logistical support of elections;

31.1.10. render organizational and technical assistance to Precinct Election Commissions on holding of voting in the election precincts in the territory of the election constituency;

31.1.11. co-ordinate the activities of Precinct Election Commissions;

31.1.12. ensure the storage of election (referendum) documents in accordance with rules approved by the Central Election Commission;

31.1.13. ensure the submission of documents related to preparation and holding of elections (referendums) to the Central Election Commission, including protocols on the results of voting (elections);

31.1.14. ensure the use of the State Computerized Information System in the territory of election constituency on the basis of a unified rule;

31.1.15. train the members of precincts election commissions.

31.1.16. cancel unlawful decisions of Precinct Election Commissions.

CENTRAL ELECTION COMMISSION
OF THE REPUBLIC OF AZERBAIJAN

Complaint or appeal to the _____ ConEC # _____
(name of the constituency)

Name, surname, patronymic, authority¹ of the complainant (or applicant):

Address and telephone number if exists for the notification:

Decision, action or inaction complained of or another appeal²:

• decision³ :

• action⁴ :

• inaction⁵ :

• appeal :

¹ Voters, candidates, registered candidates, political parties, blocs of political parties, campaign groups on referenda; agents or authorized representative of registered candidates, political parties, blocs of political parties, campaign groups on referenda.

² Make notes on if the complaint is about the previous decision, action or inaction of lower election commission or on other appeals;

³ if it's a decision, its copy shall be attached to the complaint and the name of the election commission that adopted this decision shall be clearly indicated;

⁴ if it's an action and illegally acted person is known, then the action, the place and time of commitment, as well as the committed person should be indicated;

⁵ if it's inaction, then the complainant's unreplied request, the body which didn't reply to the request and date of the inaction should be indicated..

Supposed violation of Election Code and other legal norms:

Evidences of the supposed violation:

Request of the complainant (or applicant):

If the complainant intends to be informed on investigation of the complaint (the session where it will be considered) he/she shall mark the empty square

Yes

No

Signature _____

Date _____

P.S.

Attachment:

Complaint or appeal to Central Election Commission

Name, surname, patronymic, authority¹ of the complainant (or applicant):

Address and telephone number if exists for the notification:

Decision, action or inaction complained of or another appeal²:

• decision³ :

• action⁴ :

• inaction⁵ :

• appeal :

¹ Voters, candidates, registered candidates, political parties, blocs of political parties, campaign groups on referenda; agents or authorized representative of registered candidates, political parties, blocs of political parties, campaign groups on referenda.

² Make notes on if the complaint is about the previous decision, action or inaction of lower election commission or on other appeals;

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Supposed violation of Election Code and other legal norms:

Evidences of the supposed violation:

Request of the complainant (or applicant):

If the complainant intends to be informed on investigation of the complaint (the session where it will be considered) he/she shall mark the empty square

Yes

No

Signature _____

Date _____

P.S.

Attachment:

_____ ConEC # _____
(name of the constituency)

Registration booklet of complaints

#	#, date and time of registration	Surname, name, patronymic and status of the complainant	Address of the complainant (for notifications)	Object of the complaint: decision, action, inaction ¹	Executor	Signature	# and date of decision ²	Address of sending, # and date

¹ if it's a decision, its copy shall be attached to the complaint and the name of the election commission that adopted this decision shall be clearly indicated;
if it's an action and illegally acted person is known, then the action, the place and time of commitment, as well as the committed person should be indicated;
if it's inaction, then the complainant's unreplied request, the body which didn't reply to the request and date of the inaction should be indicated;

² When the decision is adopted and its copy is sent on determination, one or both of two last columns shall be field, respectively.

CENTRAL ELECTION COMMISSION

Registration booklet of complaints

#	#, date and time of registration	Surname, name, patronymic and status of the complainant	Address of the complainant (for notifications)	Object of the complaint: decision, action, inaction ¹	Executor	Signature	# and date of decision ²	Address of sending, # and date

¹ if it's a decision, its copy shall be attached to the complaint and the name of the election commission that adopted this decision shall be clearly indicated;
if it's an action and illegally acted person is known, then the action, the place and time of commitment, as well as the committed person should be indicated;
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