

Comment

On the rules for completing final protocol of Precinct Election Commission on the voting results during the Referendum of the Republic of Azerbaijan

Rules for completing final protocol on the voting results in the polling station (Appendix #1 made to this Instruction) shall be defined by Articles 106 and 136 of the Election Code of the Republic of Azerbaijan (hereafter referred to as Election Code) as well as this Instruction.

Final protocol of the Precinct Election Commission (PEC) on the voting results shall be completed by the member of PEC with decisive voting right.

Persons indicated in Article 40.2 and 40.4 (members of election commissions, registered candidates, their authorized representatives/agents, authorized representatives/agents of political party, bloc of political parties as well as citizens of the Republic of Azerbaijan and foreigners acting as observers) may observe the compiling of protocol.

***Note:** while completing the protocol, all information from each of the items shall be written separately, numbers shall be written in words and numbers. It is prohibited to complete the protocol by pencil or to make any corrections on it. Due to prohibition of making corrections on official protocol, a **draft copy** of it shall be completed first. The information in the items # 1-6 of the protocol shall be written before opening the ballot boxes.*

A protocol shall be completed according to following rules:

Item # 1 - the total number of voters within the PEC

(1=1a+1b):

- a) the number of voters in the voter list;
- b) the number of voters in the additional voter list.

(The item # 1 shall include the number of voters included in the voters' list of the precinct election commission (1a) and the number of voters in the supplementary voters' list whose suffrage was ensured on voting day due to the decision of the precinct election commission (1b) (based on the

(permanent or temporary) and supplementary voters' lists). At the same time, the sum of the figures in semi-items # 1a and 1b shall form the number indicated in item # 1 and there should be relevant equation ($1=1a+1b$)).

Item #2 of the protocol - number of the voters who got de- registration cards

(This item includes the number of voters included in permanent (or temporary) voters' lists, but who got de-registration cards within the period defined by law).

Item # 3 - the number of ballot papers submitted by ConEC to PEC

$$(3=4+5+6)$$

(This item includes the number of ballot papers submitted to the PEC by the act of the ConEC. This act should be the basis for entering these numbers.

The equation in the brackets ($3=4+5+6$), i.e. the figure of item shall form the sum of item # 4 (the number of voters who got ballot papers), the item # 5 (the number of cancelled ballot papers without being used) and the item 6 (the number of spoiled ballot papers).

Item # 4 - the number of voters who got ballot papers

$$(4=4a+4b+4c):$$

- a) outside the voting room;
- b) in the voting room - based on voters' lists /(permanent or temporary (and the number of signatures in supplementary voters' lists)/;
- c) in the voting room - with de-registration card.

These semi-items include the number of voters who got ballot papers outside the voting room of relevant PEC (4a), the number of voters who accepted ballot papers in the voting room based on the voters' lists (4b) and who got ballot papers with de-registration cards (4c). The sum of these figures is a number of the item 4 and this number should be entered to the relevant line.

Item # 5 - the number of cancelled ballot papers without being used

The number of the cancelled ballot papers without being used shall be included in this item based on the relevant act (unused ballot papers are counted by the commissioners of the PEC by the observation of observers in the voting room before opening ballot boxes and are cancelled by cutting their right corner. The number of these ballot papers shall be declared and indicated in the protocol. The cancelled ballot papers are separately collected and packed. An act on cancellation of unused ballot papers shall be compiled).

Item # 6 - the number of spoilt ballot papers

This item includes the number of spoilt ballot papers on the basis of relevant act (If the voter appeals to the PEC member on the spoil of the ballot paper for any reason, the member of commission shall compile the relevant act and put in the envelope implied for this by cutting half the spoilt ballot paper. After the voting, the additional act shall be compiled on the total of the spoilt ballot papers and these ballot papers shall be separately packed)

Item # 7 - the number of ballot papers in ballot boxes (with the exception of undefined ballot papers⁷)

$$(7=7a+7b); (7\leq 4)$$

a) in mobile ballot box ($7a\leq 4a$);

b) in the stationary ballot box ($7b\leq 4b+4c$).

The ballot boxes shall be opened one by one and the number of defined ballot papers in mobile and stationary ballot boxes shall be included separately to the semi-item "a" and "b" (firstly mobile, then immobile ballot boxes).

The sum of these numbers shall be included in the item # 7 and relevant equality should be observed between them. The figure in semi-item # 7a shall be less or equal to the figure in semi-item # 4a and the figure in semi-item # 7b shall be less or equal to the sum of the figures in semi-items # 4b and 4c. According to the equality shown in brackets ($7\leq 4$), the figure of item # 7 should be equal to or less than the number of item # 4.

***Note:** Ballot papers in defined form mean the ballot papers in the form approved by the Central Election Commission, numbered, the upper left corner should be cut and right corner be sealed by the relevant PEC stamp..*

Item # 8 – the results of counting votes for the act of Referendum implied to national voting

On this item number of counted votes shown in referendum for and against each issue, thus the number of invalid votes shall be mentioned.

After the protocol is fully filled the period of filling and time are mentioned on that protocol.

The final protocol on the results of voting is signed by the members of the Commission with the right of decision-making voice. The sign of the protocol in empty or not fully written manner is prohibited by the members of the Commission. The member of PEC not agreed with fully or different parts can add his special point of view while signing the protocol. At that time certain protocol is mentioned.

Pursuant to the Article 106.7 of Election Code given below voting documents are sent immediately to Constituency Election Commission, but not

later than 24 hours under supervision of the chairman of PEC, two members representing different political parties and observers:

- 1) First copy of the protocol of the PEC;
- 2) On election day claims about the requirements of Election Code and decisions taken by the PEC for that;
- 3) The act on receiving voting bullet papers (addition to comment #2);
- 4) The act on cancellation of unused voting bullet papers (addition to comment # 3);
- 5) Giving voting identification documents and cancellation of unused voting papers (addition to comment # 4);
- 6) The act on the number of cut left corners (addition to comment #5);
- 7) act on the number of damaged voting bullet papers due to mistakes made by voting citizens (addition to comment # 6);
- 8) The act on act on the number of the ballot papers taken related to the voters' applications for voting outside the voting room, used and returned without having been used
- 9) Voting bullet papers;
- 10) Voters' list by precinct (by adding voting identification documents).

The acts named shall be signed by the chairman of the PEC and secretaries.

Approved copies of the complaints (applications), PEC decisions and the above-mentioned acts should be attached to the second copy of the protocol.

ACT

**on receipt of referendum ballot papers by Precinct (Referendum)
Election Commission from Constituency Election (Referendum)
Commissions**

_____ " ____ " _____ 20
(district, city, district in the city, settlement, village)

At _____

According to Paragraph 6 of Article 99 of Election Code of the Republic of
Azerbaijan ____ # _____

(name of constituency election (referendum) commission)

Constituency Election (Referendum) Commission submitted referendum
ballot papers to the Precinct Election (Referendum) Commission # _____
in the amount of _____

(in words) (in figures)

equal to the total number of voters included in the voters' lists.

**Chairman of the Constituency (Referendum)
Election Commission**

(signature) (initial and surname)

**Chairman of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

ACT

On canceling the unused referendum ballot papers

_____ " ____ " _____ 20
(district, city, district in the city, settlement, village)

At _____

We, below signed persons, compiled this act because on Referendum Day, _____ _____ unused ballot
in words) (in figures)
papers were cancelled by Precinct Election (Referendum) Commission #____ of Constituency Election (Referendum) Commission _____ # _____
(name of Con.EC)

by cutting on cancel line in accordance with the rules established by legislation.

**Chairman of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of the Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of the Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

ACT

on issuing de-registration (voting) cards for voting and on canceling unused voting cards in Referendum

_____ " ____ " _____ 20
(district, city, district in the city, settlement, village)

At _____

We, below signed persons, compiled this act because Constituency
(Referendum) Election Commission _____
(name of election constituency)

_____ submitted voting cards in the amount of _____
(in words)

_____ from the voting cards
(in figures)

to Precinct Election (Referendum) Commission # _____
of this constituency and the same Precinct Election (Referendum)
Commission submitted voting cards in the amount of to the voters.

_____ _____
(in words) (in figures)

The unused voting cards _____ were
(in words) (in figures)

cancelled by cutting them in half.

**Chairman of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

**Secretary of Precinct (Referendum)
Election Commission**

(signature) (initial and surname)

ACT

on the number of cut left corners of the referendum ballot papers

_____ " ____ " _____ 20
(district, city, district in the city, settlement, village)

At _____

We, below signed persons, compiled this act because,
Precinct Election (Referendum) Commission # _____ of Constituency
Election (Referendum) Commission # _____ counted the number of cut
left corners of the ballot papers, determined their number as
_____ and put cut corners into the envelope.
(in words) (in figures)

**Chairman of Precinct
Election (Referendum) Commission** _____
(signature) (initial and surname)

**Secretary of Precinct
Election (Referendum) Commission** _____
(signature) (initial and surname)

**Secretary of Precinct
Election (Referendum) Commission** _____
(signature) (initial and surname)

ACT

On the number of spoiled ballot papers with the errors made by voters in Election Day during Referendum

_____ " _____ 20
(district, city, district in the city, settlement, village) At _____

We, below signed persons, compiled this act because during the voting

_____ of ballot papers were spoilt due to the errors
(by words) (by figures)

made by voters in Precinct Election Commission # _____ of Constituency

Election Commission _____ # _____ and those ballot
(name of election constituency)

papers were cancelled upon being cut in half and put in an envelope, thereby were packed separately.

Chairman of Precinct Election Commission

surname)

(signature) (initials and

Secretary of Precinct Election Commission

surname)

(signature) (initials and

**Secretary of Precinct
Election Commission**

surname)

(signature)

(initials and

*Note: This act is compiled on the basis of acts on each of the spoiled ballot
paper with the errors of voters.*

ACT

On the number of submitted on the basis of voters' applications ballot papers that are used and ballot papers that are not used but returned by voter in order to vote outside the voting room

_____ " _____ " _____ 20
(district, city, district in the city, settlement, village)
Time _____

We, below signed persons, compiled this act because on _____ 20,
(day) (month)
_____ of ballot papers are submitted by Precinct Election
(by words) (by figures)
Commission # _____ of the Constituency Election Commission
_____ # _____ in order to vote outside the voting
(name of election constituency)
room in Election Day. _____ of ballot papers are returned after
(by words) (by figures)
their using, _____ of ballot papers are returned but not used
(by words) (by figures)

**Chairman of Precinct
Election Commission**

(signature) (initials and surname)

**Secretary of Precinct
Election Commission**

(signature) (initials and surname)

**Secretary of Precinct
Election Commission**

(signature) (initials and surname)