

Regulation

on the Press Group formed under the Central Election Commission of the Republic of Azerbaijan to control the observance of the rules for the conduct of pre-election (pre-referendum) campaign in mass media

Pursuant to Article 74.5 of the Election Code of the Republic of Azerbaijan (hereafter referred to as – Election Code), Press Group is established under Central Election (Referendum) Commission of the Republic of Azerbaijan (hereafter referred to as – Central Election Commission) for controlling the compliance with the rules for the conduct of pre-election (pre-referendum) campaign (hereafter referred to as – pre-election campaign) in mass media (including TV and radio broadcast, as well as, other campaign activities) and its activity shall be regulated by the Election Code and this Regulation.

1. General provisions

1.1. The Press Group under the Central Election Commission (CEC) shall be formed by the CEC in the composition consisting of commissioners of the CEC, specialists many of them engaged in the field of journalism.

1.2. While functioning, the Press Group adopts the requirements of legislation and other normative acts adopted by the CEC as a basis.

1.3. Within its authority given by the CEC, The Press Group functions mutually with bodies that implement the administration and control in the field of the press and information, editorial offices of mass media, registered candidates, political parties and blocs of political parties that nominated candidates, campaign groups and other participants of the election process.

1.4. In its sessions, the Press Group considers the applications and complaints based on the violation of defined rules and methods for the conduct of pre-election campaign in mass media, takes measures to eliminate the revealed shortages and in necessary cases, puts its suggestions on applications and complains into discussion of the CEC.

1.5. The CEC implements the administration of the Press Group, organization of its activity and law-based maintenance.

2. Formation and rules for the organization of activity of the Press Group

2.1. Head of the Press Group shall be elected by members of the Group from members of the CEC with decisive voting right.

2.2. In the case of the absence of the head of the Press Group, one of its members implements duties of the head with his/her charge.

2.3. Press Group shall discuss and settle the issues within its competence in collegial form at the sessions.

2.4. In the case when 2/3 part of Press Group members participate in the session, then it should be considered authoritative.

2.5. The decisions concerning the issues discussed shall be adopted by simple majority of vote.

3. Functions of the Press Group

3.1. The functions of the Press Group are as follows:

3.1.1. Control on the observance of the tabulation sheet for the paid and unpaid air time on channels of the Public TV and Radio Company by mass media, registered candidates, political parties, blocs of political parties and campaign groups on referenda and abidance of the requirements of law for the pre-election campaign by the periodical editorials;

3.1.2. Consideration of the appeals of mass media representatives on the contracts signed between registered candidates, political parties, blocs of political parties whose candidate has been registered, campaign groups on referenda and mass media on the allocation of paid airtime, as well as pages in periodicals on paid bases for the conduct of pre-election campaign;

3.1.3. Listening to the information of the representatives of mass media editorials which are group members on abiding legislation, this Regulation and entered complaints and other related persons;

3.1.4. Implementation of the control on the observance of defined correlation for the paid and unpaid air time allocated for candidates by the Public TV and Radio Company, the publication of pre-election campaign materials in periodicals, as well as abidance of the rules defined by law;

3.1.5. Inspection of the information on the violation of legislation in pre-election campaign process.

4. Rights of the Press Group

4.1. Press Group shall have the following rights:

4.1.1. to apply within its competence to the agencies engaged in administration and control in the fields of press and information, editorial offices of mass media, registered candidates, political parties, blocs of political parties candidates of which have been registered, referendum campaign groups and other election actors with the aim of obtaining some information and evidences;

4.1.2. To give suggestions to the CEC on the results of the conducted inspections and consideration of the appeals;

4.1.3. to put a question for Central Election Commission on the organization and legal provision of the group activity;

4.1.4. to initiate for eliminating illegal pre-election campaign activity and applying to the bodies of law enforcement, courts and relevant executive authorities with the submission by Central Election Commission on exposing TV and radio broadcasting companies, editorial offices of periodicals and their officials to liability defined by legislation.

5. Duties of the Press Group

5.1. Basic duties of the Press Group are as follows:

5.1.1. Implementation of the control on the observance of legislation of the Republic of Azerbaijan that regulates rules and methods for the conduct of pre-election campaign and provisions of Instructions and other acts by the CEC by participants of the election process;

5.1.2. Consideration of the appeals and informing the interested parties on the results of the investigation;

5.1.3. Taking relevant measures for the elimination of the violation cases of the rules for the conduct of pre-election campaign in the case defined by legislation.

6. Rights of the head of Press Group

6.1. Rights of the head of Press Group are as follows:

6.1.1. To call sessions of the Group and chair these sessions;

6.1.2. to apply to the relevant organizations and persons, obtain information and documents related to the group activity;

6.1.3. To put the issues related to the work of the Group into the discussion of the CEC.

7. Duties of the head of Press Group

7.1. Duties of the head of Press Group are as follows:

7.1.1. to organize the activity of the group and determine main fields of its activity;

- 7.1.2. To ensure work of the Press Group connected with the CEC;
- 7.1.3. To conduct work division among members of the Press Group;
- 7.1.4. to address with the suggestions required to be settled by the commission or its chairman;
- 7.1.5. To report on the activity of the Press Group with the request of the CEC.

8. Final provisions

8.1. Since the enforcement of this Regulation, the “Regulation on the Press Group formed under the Central Election Commission to control the observance of the rules for the conduct of pre-election (pre-referendum) campaign in mass media” approved by Decision # 7/27-7 dated July 18, 2008 of the Central Election Commission shall be considered invalid.
