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## ELECTION MONITORING AND DEMOCRACY STUDIES CENTER

# INTERIM REPORT

*(December 30, 2008 – February 11, 2009)*

### **Evaluating Preparations for the Constitutional Referendum to be held in the Republic of Azerbaijan on March 18, 2009**

#### **I. SUMMARY**

The Election Monitoring and Democracy Studies Center (EMDS) attaches crucial importance to free and democratic conduct in the process of preparations for the Referendum on amendments (additions and changes) to the Constitution of the Republic of Azerbaijan, to be held on March 18, 2009.

EMDS considers all stages of the March 18, 2009 referendum– the pre-Referendum political environment, the situation in the field of legislation, voters' ability to participate freely in the Referendum, voting, and the tallying of votes – equally important in evaluating Azerbaijan's honoring its international obligations with regard to holding free and fair elections/ballot. EMDS believes that all issues subject to the Referendum should be discussed openly, society should be widely informed about the proposed changes, and the preparations and of the Referendum in free and democratic circumstances should be guaranteed.

EMDS regrets that during the period of preparation for the Referendum, necessary measures were not taken to secure the Azerbaijani people's ability to express its true will. Nor did sorely needed improvements in a number of areas – the availability of objective information about the Referendum Act, protection of freedom of peaceful assembly and freedom of expression and media, or in the area of free functioning of political parties and civil society institutions – occur.

EMDS notes that banning foreign radio stations<sup>1</sup> from broadcasting on national frequencies in the territory of the Republic of Azerbaijan around the same time as the Referendum Act's passage restricted citizens' free access to information and deepened the existing crisis in the field of freedom of expression and media. Given these circumstances, EMDS hopes that both state and non-state media institutions will act in accordance with their public obligations regarding plurality of opinions and impartiality by providing objective and detailed information on the Referendum.

EMDS notes with concern that the process of creating referendum campaign groups, some members of opposition political parties faced pressure from local executive officials and, and also experienced police interference in their activities. Thus, the requirements of the Election Code of Azerbaijan and relevant OSCE agreements/treaties (to which Azerbaijan is a party) with regard to the organization of free elections were seriously violated.

During the initial stage of the Referendum, the work of election commissions was by and large satisfactory. EMDS especially notes that the Central Election Commission (CEC) tried to implement the

<sup>1</sup> The Radio Liberty, Voice of America, and BBC radio stations were removed from Azerbaijani airwaves on January 1, 2009.

process of preparation for the Referendum in accordance with the time limits and rules established by law. Nevertheless, in its instructions on the rules of creating referendum campaign groups<sup>2</sup>, the CEC established certain rules that are not set out in the Election Code, thereby restricting participation of civic groups in the Referendum. EMDS has also observed that complaints about delays in the process of registration of local observers and pressures against members of referendum initiative groups were not thoroughly investigated by the CEC.

## II. INTRODUCTION

The Election Monitoring and Democracy Studies Center (EMDS) is an impartial non-governmental organization working for free and fair elections and the development of civil society and democracy in Azerbaijan. EMDS was created on December 1, 2008, by the founders and members of the Election Monitoring Center (EMC), the registration of which had been annulled.<sup>3</sup>

From 2001-2008, within the framework of EMC, founders and members of EMDS participated in numerous election observation programs, including presidential, municipal and parliamentary elections, including repeat- and by-elections to the Parliament, and a previous referendum. As members of observation missions of the European Network of Election Monitoring Organizations (ENEMO) and OSCE's Office of Democratic Institutions and Human Rights (OSCE/ODIHR), representatives of EMDS also observed presidential and parliamentary elections and referenda held in Albania, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Turkey and Ukraine.

After termination of EMC's registration, members of the EMC observed the October 15, 2008 Presidential Election as a citizen group of observers. The group (election experts and lawyers involved in the group) carried out a program that included monitoring the updating of voter lists, preparing local election observers, and conducting long- and short-term election observation. This program was implemented with financial and technical support from OSCE's Baku Office, US Agency for International Development (USAID), US National Democratic Institute for International Affairs (NDI), Embassy of the United Kingdom in Baku, and the German Marshall Fund.

As soon as the date of the referendum was officially announced EMDS through individually registered observers, began long-term observation in 81 out of Azerbaijan's 125 election districts (constituencies). EMDS plans intends its long-term observation to cover all stages of the Referendum, including the process of creation of referendum campaign groups, the campaign period, updating of voter lists, voting on Referendum Day and counting of voting results, as well as following the investigations of any violations of law that occur during the Referendum period.

## III. PREPARATIONS FOR THE REFERENDUM

### a) Official announcement of the Referendum

On December 16, 2008, the New Azerbaijan Party (*YAP – Yeni Azərbaycan Partiyası*) submitted its draft proposal on the referendum act on “Amendments [additions and changes] to the Constitution of the Republic of Azerbaijan” to the *Milli Majlis* (parliament). On December 18, 2008, the proposal was discussed in a joint sitting of *Milli Majlis*' two permanent commissions – the Permanent Commission on Legal Policy and State-Building and the Permanent Commission on Human Rights. After this discussion, the proposal was sent to the Constitutional Court for review.

In a plenary session held on December 24, 2008, the Constitutional Court made a positive judgment regarding the draft proposal on the referendum act on “Amendments to the Constitution of the Republic of

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<sup>2</sup> See: Instruction “on Formation of Referendum Initiative Groups for the Purpose of Creating Referendum Campaigning Groups”, December 30, 2008. <http://www.cec.gov.az/az/8referendum2009/telimat/qayda31-141-1.htm>

<sup>3</sup> On May 14, 2008, Khatai District Court of Baku City terminated EMC's registration of EMC on the basis of an illegal claim of the Ministry of Justice of the Republic of Azerbaijan.

Azerbaijan”. After official announcement of the Constitutional Court’s opinion, on December 26, 2008, *Milli Majlis* set the date of the Referendum for March 18, 2009.

## **b) Legal – political environment**

YAP presented its proposal on the referendum act on “Amendments to the Constitution of the Republic of Azerbaijan” to the Parliament of Azerbaijan without holding any public debates shortly after the October 15, 2008 Presidential Election. When YAP presented the draft proposal, it did not offer the public a clear argument or explanation for the necessity of the Act.

It should be noted that attitudes of local civil and political organizations to the proposal on the Referendum act were not uniform. Especially the main opposition political parties and prominent NGOs noted that the majority of the proposed amendments to the Constitution were of a technical nature, while other provisions would restrict human rights and liberties in the country. The most widely discussed issue is the proposed amendment on lifting article 101.5. of the Constitution, which states that “nobody can be elected President of the Republic of Azerbaijan for more than two terms”.

After the official announcement of the Referendum, different political forces in the country created different initiative groups with regard to (for or against) the referendum act. It should be noted that for the first time since the November 6, 2005 Parliamentary Elections, major opposition political organizations – Musavat, Popular Front, Liberal, Citizen and Development, Hope, Democratic, Citizens’ Solidarity, and National Union of Single Azerbaijan parties, as well as, Public Forum for the Sake of Azerbaijan – united to form a joint political coalition against the Referendum. These organizations have applied to the CEC to create four separate initiative groups – “Republicans”, “Movement for Garabagh and the Republic”, “People’s Republic of Azerbaijan” and “National Independence”.

During the period of preparation for the referendum, representatives of the initiative group “Movement for Garabagh and the Republic” appealed to the Constitutional Court. It was stated in their appeal that the decision of Milli Majlis on “Holding Referendum on Amendments to the Constitution of the Republic of Azerbaijan” was contrary to the Constitution. The appeal also said that as the proposed amendments violate rights and liberties of the Azerbaijani citizens protected by law, that decision should be annulled. The initiative group argued that the Referendum Act violates the requirements of Article 156 of the Constitution of the Republic of Azerbaijan<sup>4</sup> and Article 31.0.2. of the Law of the Republic of Azerbaijan on Constitutional Court.<sup>5</sup>

Discussions on the Referendum were also held at the Monitoring Committee of the Parliamentary Assembly of the Council of Europe on January 29, 2009, and the Committee requested that the Venice Commission of the Council of Europe comment on the draft referendum act on “Amendments to the Constitution of the Republic of Azerbaijan”. It is worth recalling that since 2001, there has been a memorandum between the Government of Azerbaijan and Venice Commission on mutual cooperation in the field of constitutional, election, and media reforms. Despite this, the Government of Azerbaijan did not discuss the draft referendum act on amendments to the Constitution with the Venice Commission.

## **c) Situation in the field of human rights and civil society**

In the period leading up to the March 18, 2009 Constitutional Referendum, the broadcast of foreign radio stations (Radio Liberty, Voice of America, and BBC) on Azerbaijani national frequencies was banned. The youth organization of the Musavat (Equality) Party attempted to stage peaceful protest actions against this decision of the government on January 9 and 21, 2009. However, in both cases, the police dispersed them. In the protest acts, nine persons were detained and taken to the police department; they were released after giving written explanation to the police.

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<sup>4</sup> According to Article 156.1. of the Constitution of the Republic of Azerbaijan, amendments to the Constitution can be promulgated in Milli Majlis of the Republic of Azerbaijan with 95 votes and in the form of Constitutional laws.

<sup>5</sup> Article 31.0.2. of the Law of the Republic of Azerbaijan on Constitutional Court does not include amendments to the Constitution among the cases that can cause starting of a proceeding at the Constitutional Court.

On December 24, 2008, the Musavat and Popular Front parties attempted to hold a peaceful action in front of the building of the Constitutional Court to protest the draft proposal on the referendum act. However, police prevented them from doing so. Nine participants in the protest action were taken to the police department and released after several hours.

Prior to the Referendum, Minister of Internal Affairs Ramil Usubov filed suit against prominent human rights activist and Head of Peace and Democracy Institute Leyla Yunus, Usubov claimed that in her interview of December 3, 2008 with the website *day.az* L.Yunus slandered the Ministry of Internal Affairs and “insulted the professional authority of the police”. The Minister demanded L.Yunus issue a refutation, beg pardon from the Ministry, and pay AZN 100,000 in ‘moral compensation.’ Considering this issue as an indication of the lack of a dialogue in citizen-state relations, EMDS hopes that a fair court process will be carried out to achieve a just solution to this problem.

As yet, the authorities have taken no measures to release persons that are considered political prisoners by local human rights organizations, including chairman of *Yeni Fikir* (New Idea) Youth Movement Ruslan Bashirli, former ministers Farhad Aliyev and Ali Insanov, satirical journalist Mirza Sakit (Zahidov), chief editor of “Gundelik Azərbaycan” (Daily Azerbaijan) newspaper Eynulla Fatullayev, and chief editor of “Azadliq” (Freedom) newspaper Ganimat Zahidov.

#### **IV. WORK OF ELECTION COMMISSIONS**

##### **a) Preparedness of election commissions for the Referendum**

The CEC has issued a number of instructions concerning preparations for the March 18, 2009 Referendum.

Some provisions of the CEC’s Instruction “on Formation of Referendum Initiative Groups for the Purpose of Creating Referendum campaigning groups”, dated December 30, 2008, contradicts the Election Code. For example, the Instruction says that in order to create a referendum campaigning group, a referendum initiative group must first be formed. According to the Instruction, any citizen (or citizens) eligible to vote can form a referendum initiative group, composed of at least 50 voters, for creating a referendum campaigning group. However, in the Election Code, there is no such term as “referendum initiative group”; the Code uses the term “initiators of a referendum campaigning group”. Thus, the CEC’s Instruction created restrictions for citizens who intended to create a referendum campaign group and hindered opportunities for voters to participate in the Referendum. Another provision, which limited initiators’ opportunities for free functioning, was that the Instruction included a list of places where public gatherings for creating referendum initiative groups could be held.

We should note that according to the Article 63 of the Election Code, in order to create a referendum campaigning group, it is sufficient for the initiators of the group to notify the Central Election Commission (if number of initiators is not less than 2000) or District Election Commissions (if number of initiators is more than 500, but less than 2000) and to enclose the list of authorized representatives of the initiators of the referendum campaign group in the notification. EMDS believes the inclusion, in the CEC’s Instruction, of some provisions that are not envisaged in the Election Code creates artificial obstacles to citizens’ participation in the referendum and thus restricts civic participation in public policy.

Observations of EMDS, conducted in 81 election districts (constituencies) of the country, show that in the short time that has passed since the last Presidential Election, vital improvements concerning attendance of election commission members did not occur in many election districts. According to the observations, several district and precinct election commissions largely did not function on working days. For example, precincts 22 and 24 of Sabail Election District No: 29 (Baku city) did not operate on January 26, 27, or 28, 2009. The same situation was observed in precincts 7, 10, and 11 of Nizami First Election District No: 37 (Ganja city) from January 26-30, 2009.

Another deficiency observed during the monitoring of the work of election commissions was the absence of the members of Precinct Election Commissions (PECs) from their offices during working hours. In being absent, these commission members violated the requirements of both the Election Code and the Labor Code<sup>6</sup>. For example, on January 30, 2009, none of the members of PEC 3 of Jalilabad Election District No: 67 were in the office during business hours. Such cases were also noted in PEC 17 of Goychay Election District No: 88 on January 26-28, 2009.

### **b) Investigation of complaints**

During the process of registration of referendum campaign groups, the Expert Group functioning within the CEC, considered complaints of authorized representatives of the initiative groups “Republicans” and “Movement for Garabagh and the Republic”.<sup>7</sup> The complaints were mainly connected with interference by representatives of the police and local executive authorities in the process of collection of voter signatures for creating referendum campaign groups. It was noted in these complaints that persons who collected signatures on behalf of the above-mentioned initiative groups, as well as voters who gave their signatures in support of these groups were subject to pressure, and in some cases, the signature lists were illegally confiscated from them. However, the Expert Group of the CEC considered these complaints groundless and denied them. EMDS observations indicate that while investigating complaints, the Expert Group did not precisely and objectively study the cases. For example, although the majority of the complaints were about the cases of pressures and intimidation, which constitute criminal offenses, after investigating these cases the Expert Group did not refer them to the prosecutor’s office. However, according to the Election Code, if the Expert Group comes to the conclusion that a complained case constitutes a criminal offense, it should file a notification, which should be sent to the relevant structures of prosecutor’s office by the CEC.<sup>8</sup>

Unfortunately, the Expert Group showed a lop-sided attitude to the investigation of complaints and did not refer to the Election Code in this process.

### **c) Registration of observers**

Differently from the Presidential Election of October 15, 2008, during the period of preparation for the Referendum, the CEC did not consider applications for registration of observers within the time limit determined by law. For example, according to the law, the time period for the CEC to consider applications of citizens who wish to conduct monitoring of the Referendum in the territory of Azerbaijan is three days.<sup>9</sup> However, 27 local observers cooperating with EMDS did not receive their observer cards until February 3, 2009.

It should be noted that the CEC’s failure to handle the applications for observation in a timely manner did not receive their observer cards during this period were deprived of the right to closely observe the work of election commissions and to get acquainted with the protocols of commission meetings and complaints.

## **V. CREATION AND REGISTRATION OF REFERENDUM CAMPAIGN GROUPS**

According to the Election Code, all citizens eligible to vote in the Republic of Azerbaijan can create referendum campaign groups for the purpose of campaigning for or against issues brought to the referendum.<sup>10</sup>

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<sup>6</sup> Articles 33.1. and 38.1. of the Election Code and Article 179.1. of the Labor Code.

<sup>7</sup> Six complaints of Gulaga Aslanli, representative of the initiative group “Republicans”, and two complaints of Hasan Kerimov, representative of the initiative group “Movement for Garabagh and the Republic” were considered.

<sup>8</sup> Article 112.1.6.5. of the Election Code.

<sup>9</sup> According to Article 40.6. of the Election Code, the CEC must reply within 3 days to the applications for registration for conducting election observation in the territory of the Republic of Azerbaijan.

<sup>10</sup> Article 61 of the Election Code.

After the decision of Milli Majlis to hold the Constitutional Referendum on March 18, 2009, 14 initiative groups submitted their documents to the CEC and received signature lists for creating referendum campaign groups. These initiative groups were the following: 1) “New Azerbaijan”; 2) “Progress”; 3) “City”; 4) “Prosperous Village”; 5) “Free Word”; 6) “Civil Society”; 7) “Law and Democracy”; 8) “The World of Democratic Azerbaijan”; 9) “Movement for Garabagh and the Republic”; 10) “Republicans”; 11) “People’s Republic of Azerbaijan”; 12) “National Independence”; 13) “For the Sake of Sustained Development”; 14) “Intelligence”.

Initiative groups which returned completed signature lists to the CEC – “New Azerbaijan”, “City”, “Progress”, “Law and Democracy”, “Civil Society”, “For the Sake of Sustained Development”, “Intelligence”, “Republicans” and “Movement for Garabagh and the Republic” – were registered as referendum campaign groups. The CEC refused to register “Prosperous Village”, “Free Word”, “National Independence” and “People’s Republic of Azerbaijan” initiative groups on the grounds that they did not submit a sufficient number of authentic signatures. Initiative group “The World of Democratic Azerbaijan” did not submit completed signature lists to the CEC by the established deadline.

Thus, the number of referendum campaign groups at the national level is nine. It should be noted that in various regions of Azerbaijan, referendum campaign groups were also registered at the level of election districts (constituencies). The number of district-level referendum campaign groups is 122.

### **External interferences**

One of the violations of law observed during the process of collecting signatures for the creation of referendum campaign groups was external interferences in the process. For example, on January 8, 2009, a board meeting was held at the Office of General Prosecutor of the Republic of Azerbaijan. The meeting was devoted to the discussion and explanation of the draft proposal on Referendum Act on “Amendments to the Constitution of the Republic of Azerbaijan” and the tasks set before the structures of Prosecutor’s Office regarding the Referendum. The board approved the Action Plan for studying the draft proposal on the Referendum Act by the employees of the Prosecutor’s Office and its elucidation in society. It should be noted that neither the Law on Prosecutor’s Office<sup>11</sup>, nor the Election Code assign any responsibilities to the Prosecutor’s Office with regard to referendum campaigning. At the same time, this case is a violation of the requirements of Part 11 of the Election Code, which regulates the functions of referendum campaign groups.<sup>12</sup>

Another case of interference was observed in the activity of state-sponsored newspapers during the process of preparation for the Referendum. For example, in their December 30, 2008 issues, “Azerbaijan”, “Respublika” and “Xalq” newspapers used the term “Presidential Administration” instead of “President’s Executive Apparatus”. It should be mentioned that the draft Referendum Act proposes to replace the term “President’s Executive Apparatus” with the term “Presidential Administration” in Article 109 of the Constitution. However, state-sponsored official newspapers started to use this term before the Referendum. This is not only illegal, but also can decrease public confidence in the results of the Referendum.

### **Violation of the requirements of law**

During the period of preparation for the Referendum, violations of campaign rules were observed. For example, on February 7, 2009, representatives of the initiative group “New Azerbaijan” – MPs Rafiq Mammadhasanov, Rovshan Rzayev, and Aydin Abbasov – held meetings with voters in the Goygol, Qazakh, Agstafa, and Tovuz districts. Considering that the main reason for creating initiative groups is referendum campaigning, “New Azerbaijan” initiative group’s holding such events before the actual start

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<sup>11</sup> See: Article 4 of the Law of the Republic of Azerbaijan on Prosecutor’s Office, which sets areas of function of the structures of Prosecutor’s Office, as well as, Articles 10, 11 and 12, which cover functions of the Office of General Prosecutor of the Republic of Azerbaijan, General Prosecutor of the Republic of Azerbaijan, and Board of the Office of General Prosecutor of the Republic of Azerbaijan, respectively.

<sup>12</sup> Part 11 of the Election Code of the Republic of Azerbaijan indicates that the right to conduct referendum campaigning belongs only to the referendum campaigning groups created in accordance with the established rules.

of the referendum campaign period is contrary to Article 39 of the Code of Administrative Offences. Also, according to the Election Code<sup>13</sup>, the referendum campaigning period starts 28 days before Voting Day.

EMDS notes that the posters published by the CEC for the purpose of educating citizens about the Referendum are of a direct campaigning nature. According to the Election Code, for a referendum to be valid, at least 25 percent of voters in the country must vote in the referendum.<sup>14</sup> The posters published by the CEC, which use such messages as “All vote”, “You vote too”, “Use your active voter right”, “Let’s actively participate in the Referendum”, etc., are aimed at ensuring high voter turnout and therefore, can negatively affect voters’ exercise of their right not to vote in the Referendum. At the same time, considering that only referendum campaign groups have the right to carry out referendum campaigning, this activity of the CEC is a violation of the requirements of Article 39.1. of the Code of Administrative Offences and Article 74.1. of the Election Code.

## **Pressures**

The most serious violations observed in the initial stage of the Referendum were massive pressures against activists and supporters of opposition political parties during the process of collection of signatures for creating referendum campaign groups. Thus far, it has mainly been voters who gave their signatures to “the Republicans” and “Movement for Garabagh and the Republic” initiative groups who were threatened by the police and representatives of local executive authorities and were commanded to retract their signatures.

In general, during the process of collection of signatures for creating referendum campaign groups, observers cooperating with EMDS noted that pressure was exerted only on the united initiative groups formed by opposition political parties.

### ***Cases of pressures observed during this stage of the Referendum:***

- On January 21, Movsum Asgarov and Rovshan Sadiqov, who collected signatures on behalf of the initiative group “Movement for Garabagh and the Republic” in Sabirabad district, were detained by the police. The police claimed that they found narcotics in Movsum Asgarov’s pocket. Rovshan Sadiqov was initially rebuked for illegal small business activity, but after being taken to the police department, he was charged with resisting the police. Sabirabad district court returned a verdict of administrative arrest for M.Asgarov and R.Sadiqov for three and two days, respectively. After this, a criminal case was started against them in accordance with Article 234.1. of the Criminal Code (illegally obtaining or keeping narcotic or psychotropic substances in the amount more than personal use, without the purpose of selling them) and both of them were jailed for two months.
- In Jalilabad district, Aliyar Guliyev and Rafiq Hajiyev, representatives of the executive authority in Uchtepe and Tezekend villages, respectively, pressured voters who gave signatures to the initiative group “Republicans”. They threatened villagers with deprivation of state assistance for cultivating their lands and hindering their small business activities if they gave their signatures to the opposition initiative groups.
- In Lankaran city, executive representative of Varavul area Teybar Rasulov and Head of Education Department Samadaga Abdullayev pressured Hikmat Mammadov and Agababa Yusifov, who collected signatures for the initiative group “Movement for Garabagh and the Republic”, and attempted to take signature lists from them. They took signature lists from A.Yusifov, but were unable to take the documents from H.Mammadov.
- Deputy Chief of Jalilabad Police Department Eldar Safarov and Area Police Inspector Aflatun Mammadov sent police teams to the houses of Gulnaz Aliyeva and Ismayil Ismayilov, representatives of Jalilabad district branch of the Liberal Party who collected signatures for the initiative group

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<sup>13</sup> Article 75.2. of the Election Code.

<sup>14</sup> Article 139.1. of the Election Code.

“Movement for Garabagh and the Republic”. The police allegedly accused them of deceiving people to get them to sign signature lists.

- On January 21, Ramazan Aliyev, Chairman of Khachmaz district branch of Musavat Party, was taken to the police department. The police accused Aliyev and several of his friends of spreading illicit leaflets in the district. However, R.Aliyev told the police that he was collecting signatures for a referendum campaign group and showed the signature lists. After this, he was released.
- On January 27, police went to the house of Suleyman Kerimov, Chairman of Mingachevir district branch of the Popular Front Party of Azerbaijan, and confiscated 750 signatures that he had collected for the initiative group “Movement for Garabagh and the Republic”.
- On January 21, Aziz Pirmammadov, Chairman of Qazakh district branch of Hope Party, was subject to pressure while collecting signatures for the initiative group “Movement for Garabagh and the Republic”. A person who presented himself as an officer of the Ministry of National Security confiscated completed signature lists from him and threatened him with arrest for “plotting sabotage against the state”. The next day, when A.Pirmammadov collected signatures in Kosalar village of Qazakh district, Ramiz Asadov, executive representative of the village, intimidated voters and threatened to “punish them for participation in sabotage against the state”. On January 22, at the behest of the leadership of Qazakh Electricity Distribution Network, A. Pirmammadov was forced to submit his resignation from his place of work – Shamkir RET MMC (Shamkir District Electricity Supply Limited).
- On January 19, officers of Nizami District Police Department of Ganja city called to the police department Jahangir Amirkhanli and Oqtay Zeynalov, representatives of the Musavat Party who collected signatures for the initiative group “Republicans”. The police demanded J.Amirkhanli and O.Zeynalov stop collecting signatures and threatened that if they did not, they would be arrested.
- On January 21, Elshen Mammadov, who collected signatures for the initiative group “People’s Republic of Azerbaijan” in Aghsu district, was taken to the office of District Executive Authority. Head of the Public-Political Section of District Executive Authority Sakhavat Hasanov, Deputy Chief of District Police Department Malik Mammadov and police captain Vugar Novruzaliyev threatened him and demanded he stop collecting signatures.
- On January 23, Khalil Nasirov, executive representative of Poylu village of Agstafa district, together with several policemen, went to the house of Anar Ismayilov, a member of the Hope Party, and asked him to stop collecting signatures for the initiative group “Movement for Garabagh and the Republic”.
- On January 24, while collecting signatures for the initiative group “Movement for Garabagh and the Republic” in the Nizami district of Baku, Ruslan Tanriverdiyev was subject to intimidation and physical pressure by several policemen, who took a signature list with 18 signatures from him.
- On January 27, Fakhraddin Abbasov, a representative of the Musavat Party who collected signatures in Sumgayit city, was called to the City Prosecutor’s Office and questioned for three hours. He was impelled to give a written explanation of how he obtained signatures from citizens. F.Abbasov told EMDS that Khasmammad Jalilov, a person who had given Abbasov his signature, wrote in his explanation to the Prosecutor’s Office that Abbasov had used deception to obtain his signature, telling him his signature would indicate support for Ilham Aliyev’s re-election.
- On January 21-22, while collecting signatures for the initiative group “Movement for Garabagh and the Republic” in Muradkhanli village of Ismayilli region, executive representative of the village Isabala Osmanov prevented activists of the Popular Front Party from collecting signatures and tried to oust them from the village. I. Osmanov also told the villagers who gave signatures to send a telegram to the CEC stating that they were deceived into giving their signatures. When village resident Eyvaz Asadov refused to do so, he was threatened with dismissal from his job.
- Azer Nagi, member of Sumgayit city branch of Musavat Party, was taken to the police department while he was collecting signatures. At the department, he was forced to give false testimony about collecting signatures from citizens by deceiving them. Azer Nagi said that as the testimony was given under duress, he considered it false.

- On January 26, Azer Aliyev, Chairman of Beylagan District Election Commission No: 81, called to his office Mohubbet Asadov, Chairman of Beylagan district brand of Hope Party, and asked him about which group he was collecting signatures for. The next day, Eldar Khudaverdiyev, Deputy Chairman of Beylagan District executive Authority, also called M.Asadov to his office and demanded an explanation of his activities.

**Executive Board of Election Monitoring and Democracy Studies Center**

**February 12, 2009**

**Baku, Republic of Azerbaijan**