

# Election Observation Delegation to the Presidential Elections in Azerbaijan

(9 October 2013)



# Report by Pino Arlacchi, Chair of the Delegation

#### Annexes:

- A. Final programme (including list of participants)
- B. Joint Statement on the Azerbaijan Presidential Election by the Delegations of the Parliamentary Assembly of the Council of Europe and the European Parliament

#### **Introduction**

The Democracy Support and Election Coordination Group (DEG) decided on 4 July 2013 not to include the 9 October presidential elections in Azerbaijan among the priorities for European Parliament's election observation missions during the second half of 2013. Subsequently, in September 2013, the national Assembly of Azerbaijan, the Milli Mejlis, sent an invitation to the European Parliament. The Conference of Presidents finally decided on 12 September 2013 to accept the Azerbaijani invitation and to send an election observation delegation to the presidential elections in Azerbaijan.

The European Parliament Election Observation Delegation was composed of Mr. Pino ARLACCHI (S&D, Italy), Mr. Filip KACZMAREK (EPP, Poland), Mr. Joachim ZELLER (EPP, Germany), Mr. Evgeni KIRILOV (S&D, Bulgaria), Ms Norica NICOLAI (ALDE, Romania), Mr. Milan Cabrnoch (ECR, Czech Republic) and Mr. Fiorella PROVERA (EFD, Italy). Mr. Pino ARLACCHI was appointed Chair of the Delegation at its constitutive meeting. The European Parliament Delegation performs election observation in accordance with the Declaration of Principles of International Election Observation. Members of the EP Delegation signed the Code of Conduct for Members of the European Parliament Election Observation Delegations, in conformity with the decision of the Conference of Presidents of 13 September 2012.

The Delegation conducted its activities in Azerbaijan from 6 to 10 October 2013 and, as it is always the case for European Parliament election observation delegations, it was integrated within the framework of the International Election Observation Mission (IEOM. The European Parliament Delegation worked along with the Delegation of the Parliamentary Assembly of the Council of Europe (PACE) headed by Mr. Robert WALTER (United Kingdom), with the Delegation of the OSCE Parliamentary Assembly headed by Ms Doris Barnett (Germany), as well as with the Special Coordinator and Leader of the short-term OSCE observer mission Mr. Michel VOISIN (France) and with the OSCE/ODIHR mission headed by Ms Tana de ZULUETA (Italy). The European Parliament Delegation participated in the meetings organised by the IEOM the days before the elections, meeting with candidates, opposition, media, NGOs, etc, in order to obtain a solid background and a full picture of the situation. The European Parliament Delegation had also a separate programme to complement the IEOM one, and obtain the maximum of information prior to the Election Day. See below the consolidated EP programme.

## Azerbaijan - EU Relations

Azerbaijan is part of the European Neighbourhood Policy since the inception of this policy in 2004, and is also part of the Eastern Partnership, launched in 2009. The current legal framework for the EU-Azerbaijan bilateral relations is the 1999 Partnership and Cooperation Agreement (PCA).

Negotiations on an Association Agreement were launched in 2010, in parallel with similar negotiations with Armenia, Georgia, Moldova and Ukraine. This new agreement could significantly deepen Azerbaijan's political association and economic integration with the EU.

The European Commission's Country Strategy paper (CSP) covering the period 2007-2013 states that, as an oil and gas producer and transit country, Azerbaijan has a pivotal role to play in ensuring the EU's security and diversification of energy supply. The EU also recognises the crucial importance of a peaceful settlement of the Nagorno-Karabakh conflict and supports the mediation of the OSCE Minsk Group. The EU is firmly supporting the territorial integrity of Azerbaijan, respecting at the same time the international law principle of self-determination. The European

Parliament has declared that the current status quo in Nagorno-Karabakh and in the surrounding regions occupied by Arme is unsustainable and unaccepta Several resolutions adopted by the EP in the current legislature ask for the withdrawal of the Armenian troops from the territory of Nagorno-Karabakh and from the surrounding regions.

#### Socio-economic and Political Situation in Azerbaijan

Azerbaijan has seen in the last years a tremendous economic growth. Using the oil revenue, Azerbaijan economy has been one of the world fastest growing over the last decade and fared well through the 2009 global crisis. According to the IMF, since the start of the boom, real GDP growth averaged over 13 % annually. GDP per capita increased by six fold to nearly 6.000 by 2012, and poverty fell rapidly from 49 to 6% of population. Azerbaijan ranks among the countries with a high human development degree - 82<sup>nd</sup> position out of 187 countries in 2013. Azerbaijan's economy needs, nevertheless, a large diversification, as it depends too much on the hydrocarbon sector. The government has planned a long term strategy for the development of the non-oil sector. Within this strategy, a substantial increase of imports from the EU and other major partners is foreseen.

Azerbaijani society is much secularised, as opposed to the religious rigour of its southern neighbour, Iran, despite sharing the same religion (Shia Islam) and the fact that there are more Azeri ethnic persons living in Iran than in Azerbaijan. Modern Azerbaijan is a secular Republic, where religion is separate from the state. Government tends to preserve the secular character of the country, and actively opposes militant Islamism along with any attempt to aggressively promote one religion against the other. All this occurs in spite of Azerbaijan's longstanding friendship with a country like Turkey, whose recent governments are allowing more space to Islamic religion and practices.

Another very important difference between Azerbaijan and Turkey is the absence, in the former, of significant ethnic conflicts and discrimination of minorities. According to UNESCO, "Azerbaijan represents a unique example of peaceful coexistence and cooperation of many nations and religious denominations".

The Azerbaijani constitution was adopted in 1995 and was amended in 2009. It establishes a presidential political system, although the Parliament is also directly elected and gives its consent to the President's choice for Prime Minister. The President of Azerbaijan is elected by universal suffrage for a mandate of five years. Mr. Ilham Aliyev was elected president in the elections held in 2003 and 2008. Among the constitutional amendments approved by referendum in 2009 there was the lifting of the previous limit of two consecutive mandates for the President of the Republic, thus allowing President Ilham Aliyev to run for re-election in 2013.

The single-chamber parliament, the Milli Mejlis, has 125 members and is elected every five years in single-mandate constituencies (first-past-the post system), in a single voting round. During the last parliamentary elections in 2010, the President's party, New Azerbaijan, obtained an overall majority of 71 seats. The second largest force in Parliament is made by the independent MPs (41). The nine other parties with parliamentary representation (Civic Solidarity, Motherland, Great Creation, Civic Unity, United People's, National Revival, Justice, Democratic Reform and Hope) obtained a small number of seats (3 to 1 each).

Corruption is an issue, with some demonstrations being held in January 2013 against it.

Several independent bodies have repeatedly criticized the Azerbaijani government for its human rights record. Despite the existence of independent news outlets, journalists who criticize the government are often allegedly harassed and imprisoned. In the Press Freedom Index, published by

Reporter Without Borders, Azerbaijan ranked 156<sup>th</sup> out of 179 countries: almost the same position as Turkey (1 th) and Mexico (15 nd a bit better than Egypt (15 th) and Pakistan (159

#### **The 2013 Presidential Candidates**

The Central Electoral Commission (CEC) received twenty two applications for candidacies and, following the relevant checks based on the legislation in force, it accepted ten of them.

The incumbent president, Mr. Ilham Aliyev, was nominated as candidate of the New Azerbaijan Party and was from the beginning the heavy favourite to win the election and secure a third five-year term in office. The President decided not to participate in his party's campaign on the grounds that his personality and policies were largely known by all Azerbaijani citizens, and that his duties and high responsibilities absorbed his available time. Mr Aliyev's decision not to run a presidential campaign caused concern among the opposition and the international community.

The other nine registered candidates (in chronological order of registration) were:

- Mr. Igbal Aghazade, of the Azerbaijan Umid (Hope);
- Mr. Araz Alizade, of the Azerbaijan Social Democrat Party;
- Mr. Gudrat Hasanguliyev, of the United Azerbaijan People's Front;
- Mr. Hafiz Hajiyev, of the Modern Musavat (Equality) Party;
- Mr. Zahid Orudj, independent;
- Mr. Faraj Guliyev, of the National Revival Movement;
- Mr. Ilyas Ismayilov, of the Justice Party;
- Mr. Jamil Hasanli, of the National Council of Democratic Forces;
- Mr. Sardar Mammadov, of the Democratic Party.

Despite being imprisoned since February 2013 on charges of inciting the January riots, the candidacy of the leader of the new opposition party 'Republican Alternative Movement' (REAL), Mr. Ilgar Mammadov, was initially accepted. However, following the checking of the supporting signatures, the CEC finally rejected his candidacy on 13 September. Mr. Mammadov's subsequent appeal was not sustained by the Supreme Court because of failing to meet the required number of signatures. Mr. Ilgar Mamadov, along with the opposition leader Tofiq Yagublu and 16 other militants have been under pre-trial detention since February until 3 November, when the trial was opened in the town of Sakhi.

The opposition in Azerbaijan has traditionally been severely divided. The coalescence of a number of well-known opposition groups into a 'National Council of Democratic Forces' (NCDF) in 2013 in order to run for the elections under a single candidacy was considered a significant development. The initial NCDF candidate, the screenwriter and Oscar Academy winner Rustam Ibrahimbeyov, was disqualified by the CEC because of his admitted double nationality (Azerbaijani and Russian) and for having fixed his residency outside the country for a period longer than the last 10 years (both requirements are included in the constitution of the country and in the election code). The NCDF alternative and final candidate, was the historian and university professor Mr. Jamil Hasanli.

#### **The Electoral Context**

Since the 2010 parliamentary elections the Election Code was amended three times, i.e. February 2011, April 2012 and April 2013. These amendments followed some of the previous OSCE/ODIHR recommendations and improved the country's electoral context. However, other recommendations were not met, and the amendments also included other elements of concern for OSCE, e.g. the removal of state funding for the candidates' electoral campaigns and the shortening of the official campaign period from 28 to 23 days. In line with OSCE commitments the Election Code provides for access of national and international observers.

Voter registration is passive in Azerbaijan and based on information about permanent residents provided by the municipalities. Every election year the CEC puts in motion 125 election constituencies in charge of setting up the respective voters lists. From 4 September 2013 on, the lists of voters for the presidential elections were displayed at the polling stations and published on the website of the CEC for public scrutiny and eventual requests for amendments. According to the CEC the total number of voters included in the lists was 4.9 million; this figure caused concern to some international observers because the population of Azerbaijan with an age over 20 is estimated to be around 6.4 million. This difference can be explained by the fact that there are many Azeris living abroad and more than 1.5 million in the Russian Federation only. In Azerbaijan citizens are allowed to register for voting until (and during) the same day of the elections, provided that they can produce a proof of residency on the territory of the electoral precinct.

The months that preceded the elections were characterized by allegations of repressive activity by some public authorities, notably the detention of some opposition leaders, militants and journalists.

The Azerbaijani authorities actively called for a broad international observation of the presidential elections. Campaign activities were of a limited scope, probably as a result of the incumbent's decision not to campaign and of lack of finance by other candidates. Still, the Azerbaijani public was surprised to hear, for the first time on television, open criticisms made by the opposition candidate, Mr. Hasanli, about the President and his family. Candidates had the chance to hold rallies in public spaces and express their views. The opposition complained that the areas allocated to their rallies were not placed at central areas of the cities.

The media gave wide attention to election-related information. However the time devoted to cover the official activities and visits of the incumbent President was extensive. A discussion on this issue arose between the OSCE/ODHIR delegation on one side and the three Parliamentarian delegation on the other side. ODHIR stressed that Azeri President excessive presence on TV was an element of invalidation of the overall electoral process. The MEP's agreed that it was a negative factor, but argued that such an imbalance in the television exposure of the incumbent President or Prime Minister is quite common in most EU countries. Mr Sarkozy, for instance got an €1 million fine for breaching electoral rules, including abuse of airtime, during his campaign for re-election. Mrs Angela Merkel was also accused for using her Prime Minister position for disproportionate TV appearances during general elections, and Mr Silvio Berlusconi is the owner of all Italian private TV channels since twenty years. All this accusations never turned into a generalized disqualification of the validity of the elections in the countries concerned.

In September the Government decided a 10% salaries increase for civil servants and other state-related jobs. The national minimum salary and the amounts of scholarships were also augmented.

#### **Programme of the EP Election Observation Delegation**

Before Election Day, OSCE/PA, PACE and the EP delegations were extensively briefed by experts from the ODIHR mission. Presentations were made on the political environment, the campaign activities, the media landscape and the legal framework of the parliamentary elections. The joint briefing programme for the Delegations of the Parliamentary Assemblies also included roundtables with media representatives and NGOs, meetings with the electoral administration, candidates and leaders of factions in Parliament.

In addition to the joint briefings, the European Parliament Delegation organised a working breakfast with the EU Member States Ambassadors. The European Parliament Delegation was also briefed by Mr. Toralf Pilz, Chargé d'affaires of the EU Delegation to Azerbaijan, and was received separately by Azerbaijani top officials, i.e. the President of the Republic, the Chairman of the National assembly – Milli Mejlis - and the Minister of Foreign Affairs.

#### **Election Day**

On Election Day, the EP Delegation split into four teams, three of which were deployed in Baku and its surrounding areas, and the fourth one in Sakhi, a province capital located in the north-west of the country, at five hours drive from the capital. The four teams visited a significant number of polling stations from the opening to the closure and the counting process. Several of the polling stations visited were only observed by the EP Delegation, while others were also visited by other observers of the IEOM and by other foreign observers, like the CIS.

According to the Members of the Delegation, there were sound technical preparations for the elections and the investments made by the Azerbaijani administrations for this purpose were significant. Web cameras were installed in a large number of polling stations in order to allow live observation of counting procedures via internet. The majority of these web cameras were well focussed, i.e. without giving the possibility to affect the secrecy of voting. Inking the left thumb of voters was mandatory in all polling stations as a safeguard against double voting. The invisible ink was readable by ultraviolet devices applied to all voters at the entrance of the polling stations. In a few cases the Members observed that the thumb checked was the wrong one. Overall, the material conditions of the polling stations were good, with rooms, booths, tables and other material in good condition and extra chairs reserved for observers and citizens.

In the polling stations visited, the voting process was carried out in an orderly, calm and well organized manner. During the observation, voting procedures were respected satisfactorily, i.e. registration was duly checked and identification verified. Law enforcement forces were seen standing only outside the polling stations, and no political propaganda or other campaign material were identified inside the buildings were the polling stations were located. Citizen observers and candidates' proxies were present in all polling stations: while proxies of some candidates maintained only constant presence in a few polling stations, the incumbent, Mr. Aliyev had observers' presence in all of them and Mr.Hasanli in many. The EP Delegation did not witness any intimidation to the voters or any serious wrongdoings during the voting or counting processes.

# Press conferences and preliminary statements

There was a basic disagreement between the three parliamentary delegations (OSCE,PACE and EP) on one side, and ODHIR on the other, about the draft texts that this organisation produced.

All the four delegations noted problems with the context in the months prior to the Election Day. The restrictions on freedom of assembly and expression, and the fact that 14 Azerbaijani opposition politicians, journalist and human rights activists were imprisoned during the past months, are regrettable.

However, the 66 parliamentarians comprising the three delegations also perceived ODIHR criticisms too intransigent on areas where electoral rules and electoral behaviours in Azerbaijan were not very different from standards adopted in the EU countries and at global scale. It was clearly unfair to blame Azerbaijan electoral laws for allowing same day vote for electors, or to censure the Azeri electoral process for having two features of political elections that are very common in the 28 EU countries and elsewhere: the lack of active popular participation to the electoral campaign, and a discussion focused on individual personality instead of a debate on concrete political platforms.

Moreover, the OSCE, EP and PACE delegations repeatedly tried to explain to ODHIR that to pass judgments about constitutional requirements for candidates to the Presidency was largely outside their mandate, (and outside the mandate of any kind of election observation mission, indeed). ODHIR was patiently told that it was unfair to criticize the Constitution and the electoral code of Azerbaijan for requiring that a presidential candidate should have a university degree, while in several advanced democracies there are equal or more stringent conditions. The President of Italy must be at least 50 years old, and it is not enough for the US President to be an American citizen. He must be <u>born</u> on the US soil. And no one said that those countries don't enjoy fully democratic elections because of the singularities contained in their Constitutions.

Since the first common discussion, the OSCE,PACE and EP delegations invited ODHIR to change the hostile tone of their draft document, recalling their non-elected colleagues that the Azerbaijan government could not be put on the same ground of totally undemocratic regimes such as North Korea or Saudi Arabia.

The EP delegation, moreover, underlined that a fundamental criteria of the EU observation election work, as codified by the decision of the Conference of Presidents of EP of 13 September 2012, is that no mission can be sent in country that lacks the basic democratic infrastructures. Moreover, if Azerbaijan was considered a totalitarian state, EU would not have started a discussion about an association agreement with it.

EP, PACE and OSCE delegations disagreed with ODHIR also on the evaluation regarding the Election Day itself and on the facts used to support the overall conclusions. According to the ODIHR preliminary report, its long-term mission observed 1151 of the 5273 polling stations set up across the country, and reported malpractices in what can be objectively considered a small number of cases: ODIHR saw indications of ballott stuffing in 37 of these stations, which represents 3.2 % of those observed and just 0.7% of the total number of polling stations. The ODIHR also detected some type of interference in 1,1% of the polling stations, group voting in 7% of them and signs of falsifications of voter list entries were spotted in 15 polling stations (i.e. 0,003% of the total number of stations).

However, ODIHR concluded that 58% of the polling stations deserved a bad or very bad rating. There were no definitions provided in the ODIHR report about what a 'bad and very bad'

assessment meant. Their argument was therefore circular: 58% of polling station were bad or very bad becau

There were no differences made, in their Report, between 'bad and very bad' classification or information provided about the number of cases assessed in each of these categories. The latter information was essential, because although we could perhaps have agreed on what could constitute a serious election offence (very bad), the gravity of those defined simply as 'bad' could have been at least jointly analysed and discussed.

Given the impossibility to reach an agreement with ODHIR, the Delegations of the European Parliament and of the Parliamentary Assembly of the Council of Europe (PACE) had no other choice than to issue a separate joint statement and hold a joint press conference on the day after the elections (10 October 2013) based on their own observation activities.

The joint statement acknowledges (for what these two Delegations have seen) that 'electoral procedures on the eve and on election day have been carried out in a professional and peaceful way'. Nevertheless, the statement refers also to 'improvements [that] are still desirable with regards to the electoral framework, notably concerning the respect of fundamental freedoms during the months before the election'. Finally, the two Delegations stated that they 'encourage the authorities to carefully consider previous and current recommendations from the international community'.

On 10 October, the OSCE/ODIHR preliminary statement, which was not endorsed by the OSCE PA, was notably negative in its conclusions, lacking constructive criticisms. The statement argued that the presidential elections suffered from significant problems throughout all its stages, including the Election Day. The ODIHR statement, however, also recognised as well that 'the CEC efficiently administered the technical preparations of the elections'.

The ODHIR/OSCE report on the Azeri Presidential election was not endorsed by a number of high officials belonging to the same OSCE. The OSCE Chairperson, Ukraine's Foreign Minister Leonid Kozhara, praised the Azeri elections as "an important step forward in the democratic development of the country" along with the work of the EP and the Council of Europe, not even mentioning ODHIR.

The Special Coordinator and Leader of the short-term OSCE observer mission, Mr. Michel Voisin made public declarations in Baku that were dissenting from the ODIHR's statement, stressing that he was 'pleased with the good organisation of the election, the [high] number of candidates and the peaceful atmosphere on the election day, despite shortcomings..." Mr Voisin added that he 'shared the opinion of the PACE and European Parliament'.

Along the same line, the Head of the OSCE Parliamentary Delegation, the German MP Doris Barnett, said at the OSCE Parliamentary Assembly held in Budva, Montenegro on 14 October, that 'based on my observations at 59 polling stations on the Azerbaijani Election Day, I can note that the elections were prepared well, and the election process was almost no different from German elections in many respects'.

Just after the ODIHR statement was issued, the ruling New Azerbaijan Party declared that the statement was partial and biased. The OSCE/ODIHR press conference, also held on 10 October, turned particularly tense at the question time, when some Azerbaijani citizens showed their anger towards the leaders of the long-term observation team by approaching the podium shouting at them and recriminating their attitude.

#### **Results**

On 17 October, the CEC unanimously adopted the final results protocol:

The election turnout was of 71.62%, slightly lower than the last presidential elections in 2008 which reached 75.64%, but higher than the 2003 presidential elections (62.85%).

Ilham Aliyev: 3,126,113 votes (84.54%) Jamil Hasanli: 204,642 votes (5.53%) Igbal Aghazade: 88,723 votes (2.40%) Gudrat Hasanguliyev: 73,702 votes (1.99%) Zahid Orudi: 53,839 votes (1.45%) Ilyas Ismayilov: 39,722 votes (1.07%) Araz Alizade: 32,069 votes (0.87%) Faraj Guliyev: 31,926 votes (0.86%)

Hafiz Hajiyev: 24,461 votes (0.66%)

Sardar Mammadov: 22,773 votes (0.62%) Invalid and blank votes: 36,622 votes

Total: 3,734,592 votes (100%)

An issue was a technical incident happening with a smartphone application developed by the Central Election Commission. On the day before polls (8 October), the app interface was showing alleged final results. In this app the results showed Mr. Ilham Aliyev as the winner with 72.76% of the votes, while Mr. Jamil Hasanli, obtained 7.4%. The message was recalled, with the Electoral authority stating that the app's developer had mistakenly tested the application with the 2008 election results. The final results did not coincide with these figures.

The day after the elections (10 October) the second-placed candidate, Mr. Jamil Hasanli, called for the results to be annulled due to vote-rigging. He added that there had been electoral fraud and government control of all television channels.

#### **Post-electoral developments**

A demonstration in Baku contesting the results was organized by the opposition after the Election Day on 12 October with a number of participants of around five thousand. Mr. Hasanli addressed the demonstrators saying that the real turnout of the elections was only 20% and that 65 – 70% of the votes were casted for him. Although Mr. Hasanli's allegations on government control prior to the Election day may have some credibility, his assessment about the 'real results' seemed grossly disproportionate; analysts may have disagreements on the real figures of the final results, but there was practically a unanimous conclusion reached accepting that Mr. Aliyev had neatly won the elections.

International media reported that at least nine additional MEPs' were in in Azerbaijan observing the presidential elections, outside the framework the official European Parliament Delegation. It has been calculated that a total of 50 delegations, comprised by more than 1.500 international observers, were present in Azerbaijan for the Presidential elections. 49 of these delegations and more than 1.200 observers shared the view that elections have been regular and transparent. Only ODHIR's evaluation diverged sharply.

On 23 October 2013 the European Parliament adopted a Resolution on the European Neighbourhood Policy. In its Article 32 - an amendment of the Green group approved with the abstention of the S&D - it stated that the presidential elections in Azerbaijan did not meet OSCE standards. The Azerbaijani authorities, including the Milli Mejlis, reacted expressing a strong disappointment: Mr Elkhan Suleymanov, Vice-president of the European Parliamentary Assembly and Head of its Azerbaijan delegation accused on 24 October the European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating of the European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating of the European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and unrest in Azerbaijan' and suspended the activities of the Azerbaijani delegation in European Parliament 'of creating subversion and the Azerbaijani delegation accused the Azerbaijani delegation accused the Az

As a consequence of all this facts, the gap between Azerbaijan and EU widened, putting at risk, now, the future of the association agreement.

## **Appeals**

Just after the election results were released, presidential candidate Jamil Hasanli filed a complaint to the CEC requesting to invalidate the results in a number of polling stations and election constituencies based on alleged violations of the election code and other laws. On 13 October 2013, the CEC did not grant the appeal stating that the claims on violations could not be verified. Subsequently Mr. Hasanli introduced an appeal to the Baku Court of Appeal, which on 15 October also refused to grant the claim.

Mr. Hasanli also filed a complaint at the Baku Court of Appeal requesting to deem as invalid the 17 October CEC protocol on the final results of the elections. On 18 October the Court denied the appeal and Mr. Hasanli took this decision to the Supreme Court on 21 October, which also refused to grant his complaint.

#### **Conclusions**

Observing electoral processes in the countries of the OSCE area is an important task of the European Parliament. This is even more the case when elections are held in countries of the Eastern Partnership.

The International Election Observation Mission (IEOM) for the Azerbaijan 2013 presidential elections demonstrates that the system of international observation mission should be improved. If the final objective is supporting the countries of the OSCE area in their path to become consolidated democracies, a confrontational attitude toward any country under observation should be avoided. The expression of political judgements, and the interpretation of the available data, should never be left in the sole hands of technical staff. Political supervision and accountability must be present at all stages of the delicate assessment process. The essential pillar of any international election observation mission should be the availability of technical advice serving the objective observation made by elected representatives: these are the only ones that, in a democratic system, should bear the final responsibility of an electoral evaluation.

The core tasks of a long and short term observation electoral mission cannot be delegated to external bodies deprived of any democratic accountability. Without a political control, bureaucrats inevitably develop a tendency to self-perpetuation and end up creating motives to keep their job alive.

In conclusion, it would be appropriate to consider a different path for EP election observation missions carried out as from the next legislature.

#### We propose that

EP short term missions should be ated into EU long term missions. In those cohesion between the EP short-term observation mission and the EU long-term one will be facilitated by the fact that both missions are chaired by MEPs, supported by a technical staff;

2) the EU starts observing elections also in the OSCE area, which was not the case so far. EU long-term election missions have a solid reputation across the world of a good and professional work. There is no reason why the EU should continue to observe elections in countries so far away like the Republic of the Maldives or the Republic of Fiji islands, and it is not adequately present in its immediate neighbourhood.