FOR IMMEDIATE RELEASE
October 12, 1998

IRI PRELIMINARY STATEMENT ON THE 1998 AZERBAIJAN PRESIDENTIAL ELECTION

The International Republican Institute (IRI) sponsored an 18-member independent, bipartisan observer mission for the October 11, 1998 Azerbaijan Presidential election. The delegation, which included specialists in election law, international affairs, campaigns and communications, is the most experienced ever deployed by IRI. With one exception, all have observed elections in the past, on 47 occasions, for 18 separate national elections in 11 different countries. We wish to disassociate ourselves from comments made earlier today by a number of people claiming to represent the Republican and Democratic parties of the United States.

In the year leading up to balloting, IRI closely monitored pre-election conditions in Azerbaijan, including through numerous in-country assessments. Prior to observing election day, the 18-member team received thorough briefings on the pre-election period and expectations for the election itself from President Aliyev and numerous government representatives, leaders of those opposition parties participating in, and those boycotting the election, the Central Election Commission Chairman, the United States Ambassador, and other observer groups.

Six IRI teams were deployed outside of Baku on October 9 to Ganja, Lenkaran, Naxjivan, Quba, Sumqayit, and Yevlakh, where they also received briefings on local pre-election conditions. Another three teams remained in Baku to observe elections. On election day, observers monitored the opening of Precinct Election Commissions (PECs) and the day-long balloting in 138 PECs, remained for the count in selected PECs, obtained voting protocols for those sites, and followed PEC officials to the Territorial Election Commissions (TECs) to track reporting of precinct results.

This is the preliminary report of IRI’s delegation regarding the elections. We will be following closely the Central Election Commission’s announcement of official results in the coming hours and days. IRI will issue a comprehensive report by the end of November, and reserves the right to modify the following observations as events surrounding the election become clearer.

Preliminary findings

IRI judges elections based on four stages in the process: the first is the pre-election phase, in which candidates and parties representing a range of political views should be able to compete in an environment free of intimidation, and an election commission should be formed capable of writing non-partisan election laws. The second stage is Election Day, in which the will of the
voters should be accurately expressed without intimidation, through a transparent balloting process. Third is an accurate and transparent counting process, and the opportunity for fair response to party charges of Election Day and counting irregularities; and fourth and finally, the post-election phase, in which the election’s results are reflected in the formation of a new government, and the freedoms granted for the time of the election are continued or enlarged.

In a number of important respects, Azerbaijan’s October 11, 1998 election was an improvement over the 1993 Presidential and 1995 Parliamentary balloting:

- Press censorship was formally abolished on August 6;
- A new Presidential election law was promulgated on July 10. The most significant new provisions in the law allowed monitoring by domestic observers, directed that vote count protocols be posted at all polling stations, permitted police to enter polling stations only to restore order, if requested by the precinct election commissioners, and allocated equal and free television air time to all registered Presidential candidates; and
- Opposition rallies were permitted for the first time in many years, with many proceeding without incident.

Azerbaijan’s October 11, 1998, election was nevertheless a missed opportunity, falling short of international norms for reasons that include the following:

- The changes noted above, though important, came only within the three months preceding the election. After decades of repression by the Soviet Union, and years of control by the current government, one would have difficulty stating that three months of even complete freedoms is a sufficient prerequisite for an equitable election;
- Given past elections in Azerbaijan, offering more than 6 of 24 Central Election Commission seats, and consequent TEC and PEC seats to the opposition would have gone a long way towards allaying fears about election day;
- The ruling regime obviously used state resources in its campaign. Each Presidential candidate was allocated a small amount of funding for the campaign, but one could hardly turn around in Baku or most of the rest of Azerbaijan without seeing colorful posters for President Aliyev (very few were seen for other nominees), or turn on state television without watching almost continuous, favorable coverage of President Aliyev (other candidates were, as promised, allocated half an hour a week on state television for their use);
- A September 12 opposition rally in Baku ended in violence, with 11 arrests. Another Baku opposition rally, witnessed on October 9 by IRI and other foreign observers, began peacefully but provoked gratuitous police force, and resulted in the arrest of as many as 20 people (IRI was assured by President Aliyev that all arrested in the two rallies had been released by October 10). In other cities, permits for opposition rallies were denied;
- A degree of press censorship continues. Whole editions of opposition newspapers were confiscated following the September 12 rally, two women reporters were beaten after writing a September story on Azerbaijan’s Interior Ministry, and self censorship by other journalists has been reported;
- Those regarded as Azerbaijan’s primary historical democratic parties chose to boycott the election, given the above facts. While eschewing participation is a decision made solely
by the opposition, and one can argue about their rationale and justification for doing so, their withdrawal robbed the election of much needed credibility;

- Finally, of nine IRI teams around the country, four (in Baku, Ganja, Lenkaran and Qusar) witnessed wads of as many 20 ballots emerging from the ballot box at the beginning of counting. All were cast for President Aliyev. This is evidence of ballot stuffing that would necessitate the cooperation of at least some PEC Commissioners at each site. Such evidence of ballot stuffing, a feature of Azerbaijani elections in 1993, 1995 and July 1998 (a parliamentary by election), was also reported by election observers teams from the Organization for Security and Cooperation in Europe/Office of Democratic Institutions and Human Rights in Europe (OSCE/ODIHR), Council of Europe, and National Democratic Institute (NDI). Such widespread ballot stuffing calls into question the legitimacy of the election. In addition, a fifth IRI team was denied entrance to a Baku TEC, a situation remedied only with the intervention of the President’s Office. Other, less consequential irregularities and will be detailed in our final report.

Numerous teams from IRI, OSCE/ODIHR, Council of Europe, and NDI, including some who saw evidence of ballot stuffing, also reported that the witnessed PEC vote counts for President Aliyev fell below the two thirds necessary to avoid a Presidential runoff.

A number of Azerbaijanis with whom we met stressed that democracy has not had long to take hold in their country. Azerbaijan has been independent of Soviet control for only eight years, and no one should underestimate the difficulty of establishing democratic practices. That said, IRI has witnessed superior elections around the world in poorer nations that have only recently emerged from a long history of dictatorship, and in many other former Soviet-bloc countries.

Azerbaijan has at least two near term opportunities to continue to improve its election process. Long-delayed local elections are expected to be held in 1999, and parliamentary elections are supposed to be held in 2000. Those elections also provide an opportunity for a now fractious opposition to offer a credible alternative to the current ruling regime. IRI looks forward to continuing to assist all parties to achieve those goals and assisting Azerbaijan to reach international democratic norms.

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