

Approved by the Decision # 28/106 of the Central Election Commission of the Republic of Azerbaijan dated on June 7, 2006 and amended by Decisions # 6/15-1 dated August 23, 2011, # 1/6 dated May 29, 2014 and # 5/18 dated 2 October 2019

INSTRUCTION

on rules for the establishment of voters initiative groups and nomination of candidates on their own initiative or by voters initiative groups in Municipal Elections

During Municipal Elections in the Republic of Azerbaijan, nomination of a candidate or candidates to municipality membership by citizens' own initiatives or initiative groups established by the citizens having active suffrage shall be regulated by Articles 53, 212 and 214 of the Election Code of the Republic of Azerbaijan (hereafter referred to as Election Code) and the Instruction.

1. General provisions

1.1. In Municipal Elections, candidates are nominated after the official publication of the decision on the appointment of these elections.

1.2. Citizens who have passive election right and who meet the requirements of Article 212 of the Election Code may nominate a candidate to municipality membership on their own initiative, as well as, by voters' initiative groups in a manner defined by legislation.

2. The rules for the establishment of voters' initiative group and nomination of a candidate to municipality membership

2.1. Establishment of voter initiative groups and candidate nomination as one of the subjects nominating the candidate, shall be regulated according to the rule defined by legislation and this Instruction.

2.2. In the case implied by Article 215 of the Election Code of the Republic of Azerbaijan, compared with population number, the voters initiative group consisting of not less than

at least 30 persons - in the municipality whose population is more than 99.999,

at least 25 persons - in the municipality whose population is more than 49.999,

at least 20 persons - in the municipality whose population is more than

19.999,

at least 15 persons - in the municipality whose population is more than 9.999, at least 10 persons - in the municipality whose population is more than 4.999, at least 5 persons - in the municipality whose population is less than 4.999, shall be established.

In this aim, voters intending to establish initiative group shall conduct their own meeting. The fact that the intending to establish voters initiative groups live within the territory of the relevant municipality shall be taken as a basis. The citizen or citizens intending to establish initiative group shall apply to in written form to the municipality administration or local representative of territorial executive authority on the allocation of venue for conducting meeting. The meeting of the voters initiative groups can be conducted on the residences of voters, as well as in the areas and buildings of executive or municipal authorities, other legal entities. After determining appropriate place, the voters intending to establish initiative group shall be informed about the place and time of the meeting.

2.3. The following issues shall be discussed in this meeting:

2.3.1. Establishment and naming of voters initiative group in the case meeting requirements of item # 2.2 of the Instruction

2.3.2. Defining the person who will represent the group (the representative of the initiative group) (the person may be chairman or secretary of the meeting).

2.3.3. Nomination of candidates less or the same number as the number of the candidate or municipality members;

2.3.4. Apply to the Con.EC with notification for the approval of the candidate nomination.

2.4. Decision shall be adopted on each discussed issue included in the agenda of the meeting and a relevant session minute is compiled on this. This session minutes shall be signed by the chair and secretary of the meeting. It is possible to seal the session minutes by the stamp of the legal entities, these organizations, as well as the venue where the meeting was conducted belong to.

3. The following documents shall be submitted to the relevant Constituency Election Commission (Con.EC) for the nomination of a candidate or candidates to municipality membership by the voters' initiative group:

3.1. session minutes of the meeting on the establishment of voters initiative group and candidate nomination (Appendix # 3 made to Instruction);

3.2. separately compiled notification on the initiative to nominate each candidate (Appendix # 1A made to Instruction);

3.3. Application on commitment of a candidate to municipality membership (Appendix # 2 made to the Instruction) (the application should contain surname,

name, patronymic, date of birth, address of residence, education, serial number of ID card or its substitute document of a candidate to municipality membership, place of main work or service, the occupied position (in its absence - type of activity), information on imprisonment, citizenship and commitment before other countries, as well as, the commitment on terminating the activity which can be incoherent with the position of a municipality membership if elected);

3.4. If the candidate appointed an authorized representative, then the powers of attorney of the authorized representative approved in the notary order (Appendix # 5 made to the Instruction and Appendix # 3'b' made to the Instruction "On status of authorized representatives of a candidate, political parties, political party blocs and referendum campaign groups in elections (referendum) in the Republic of Azerbaijan").

3.5. If the information on the party affiliation of the candidate or candidates is available, then a document verifying this shall be provided. In this case, the candidate shall agree with the relevant election commission on naming the political party, he/she belong to with the name consisting of not more than 5 words. If the political party indicated in the application dismissed the candidate and sent notification to the relevant election commission, then after receiving this notification, the name of the political party should not be used related to this candidate.

3.6. Documents of a candidate or candidates nominated to municipality membership by voters' initiative group can be submitted to the relevant Con.EC by the representative of voters initiative group, as well as the candidate or his/her authorized representative.

3.7. Written reference on the reception of the documents submitted to the Con.EC shall be provided to the person who submitted these documents (authorized representative of the initiative group, candidate or his/her authorized representative) (Appendix # 4 made to Instruction).

3.8. The Con.EC shall consider the submitted documents within 5 days and submit decision on the approval or refusal of the candidate nomination to the candidate or his/her authorized representative.

4. The citizen nominated to municipality membership on his/her own initiative shall submit the following documents to the relevant Con.EC:

4.1. Notification on candidate nomination to municipality membership (Appendix # 1 made to Instruction).

4.2. Application on commitment of a candidate to municipality membership (Appendix # 2 made to the Instruction) (the application should contain surname, name, patronymic, date of birth, address of residence, education, serial number of ID card or its substitute document of a candidate to municipality membership, place of main work or service, the occupied position (in its absence - type of activity),

information on imprisonment, citizenship and commitment before other countries, as well as, the commitment on terminating the activity which can be incoherent with the position of a municipality membership if elected)

4.3. If the candidate appointed an authorized representative, then the powers of attorney of the authorized representative approved in the notary order (Appendix # 5 made to the Instruction and Appendix # 3'b' made to the Instruction "On status of authorized representatives of a candidate, political parties, political party blocs and referendum campaign groups in elections (referendum) in the Republic of Azerbaijan").

4.4. If the candidate included information on his/her party affiliation in the application, then a document verifying this shall be provided. In this case, the candidate shall agree with the relevant election commission on naming the political party, he/she belong to with the name consisting of not more than 5 words. If the political party indicated in the application dismissed the candidate and relevant sent notification to the relevant election commission, then after receiving this notification, the name of the political party should not be used related to this candidate.

4.5. Written reference on the reception of the documents submitted to the Con.EC shall be provided to the candidate or his/her authorized representative (Appendix # 4 made to Instruction).

4.6. The Con.EC shall consider the submitted documents within 5 days and submit decision on the approval or refusal of the candidate nomination to the candidate or his/her authorized representative.

NOTIFICATION

on the initiative to nominate candidate to municipality membership _____
(initial and surname)
_____ **in Municipal Elections**
(name of the municipality)

Pursuant to Articles 53, 212 and 214 of Election Code of the Republic of Azerbaijan, citizen of
the Republic of Azerbaijan _____
(candidate's surname, name and patronymic,

date of birth, address of residence, serial number of ID card or its substitute document, main place of work or

service, position, if not main work or position then occupation)

nominated candidacy to municipality membership in Municipal Elections

_____ appointed on _____.
(name of municipality) (date of elections)

Authorized representative _____
(surname, name, patronymic, address of residence,

serial number of ID card or its substitute document)

has been appointed.¹

The application on commitment of the candidate to municipality membership shall be attached.

Candidate to municipality membership _____
(signature) (initial and surname)

or Authorized representative _____
(signature) (initial and surname)

“ _____ ” _____ 200
(date of issue of notification)

Note: The copy of the notification is provided to the candidate or his/her authorized representative upon the approval by the Con.EC as in compliance with Article 226.3 of the Election Code of the Republic of Azerbaijan.

* This line should be filled out in the case when the authorized representative is appointed.

To the Constituency Election Commission _____ # _____

NOTIFICATION

on nominating candidate to deputy by the voters' initiative group in the Municipal Elections appointed to _____
(date of elections)

Pursuant to Articles 53, 212 and 214 of Election Code of the Republic of Azerbaijan, we – members of the voters' initiative group:

#	Surname, name and patronymic of initiator	Date of birth	Address of residence	Serial number of ID card or its substitute document	Signature and date
1					
2					
...					
30					
...					

nominate the candidacy of the person who lives

(address of residence)

(serial number of ID card or its substitute document)

who

functions

(main place of work or service, occupation (if not any, then type of activity))

who was born

(date of birth)

(candidate's surname, name and patronymic)

in the Municipal Elections appointed to

(date of elections)

The person who lives _____,
(address of residence)

(serial number of ID card or its substitute document)

(surname, name and patronymic)

has been appointed representative of the initiative group.

The protocol of the meeting of the initiative group and candidate's application on commitment are attached.

“ _____ ” _____ 20_____
(date of issuing the notification)

Note: The notification shall be attached the candidate’s 3 photos at size 3X4 (the notes are taken on the back side of the photo to define the identification of that person of) as in compliance with the requirements of Article 40.15 of the Election Code.

For the _____ Con.EC #

By the citizen nominated for a member
of municipality _____
(name of municipality)

APPLICATION ON COMMITMENT

I, _____
(surname, name, patronymic, date of birth, address of residence, education,

serial number of ID card or its substitute document, main place of work or service,

if not main work or service, the type of activity, party affiliation with candidate`s own consent)

have/have not a sentence which is not served or cancelled.

(if he/she has a sentence which is not served or cancelled,

then the name and number of the relevant Article of Criminal Code of the Republic of Azerbaijan,

if he/she has committed an action abroad, which imposes a criminal liability and is sentenced by a court decision,

which entered into force, and if the same action imposes liability established by the Criminal Code of the Republic
of Azerbaijan,

the application should contain the name of the relevant law of the foreign country

I am a citizen of the Republic of Azerbaijan, have the right to participate in elections, have not dual citizenship and commitment before other countries.
I undertake to terminate activities which are incompatible with my position if I am elected member of the municipality.

(have / have not)

(signature)

(initial and surname)

“ _____ ” _____ 200

*3 photos at 3X4 size of the candidate shall be attached to the application on commitment in order to meet the requirements of Article 40.15 of Election Code.

PROTOCOL

of the meeting on the establishment of voters initiative groups and nomination of the candidate to municipality membership

_____ “ _____ ” _____ 200 _____
(place of the meeting – district, city, settlement, village)

Participants of the meeting _____ persons
(in figures)

The issue on the election of Chair and Secretary of the meeting was considered and

Chair of the meeting _____
(surname, name and patronymic)

Secretary of the meeting _____
(surname, name and patronymic)

were elected.

Voting results:

For _____
(in figures) *(in words)*

Against _____
(in figures) *(in words)*

None _____
(in figures) *(in words)*

Agenda:

1. Establishment and naming of voters initiative group
2. Election of the person representing the group (representative of the initiative group) (this person can be Chair or Secretary of the meeting)
3. Nomination of the candidate to municipality membership
4. Apply to the Con.EC with notification to approve the nomination

Voting results:

For _____
(in figures) *(in words)*

Against _____
(in figures) *(in words)*

None _____
(in figures) (in words)

Meeting Chairman informs the meeting participants about the issues included in the agenda, gives floor to the participants to speak on these issues.

Speakers:

1. _____
(speaker's surname, name, patronymic and briefing of the speech)

2. _____
(speaker's surname, name, patronymic and briefing of the speech)

3. _____
(speaker's surname, name, patronymic and briefing of the speech)

4. _____
(speaker's surname, name, patronymic and briefing of the speech)

5. _____
(speaker's surname, name, patronymic and briefing of the speech)

Members of the initiative group, group representative and the candidate to municipality membership were nominated.

In the case of necessity, the candidate's surname, name and patronymic (in sequence of the adoption of the decision):

- 1.
- 2.
- ...

Note: In the case of necessity, the list of the candidates to municipality membership shall be compiled upon filling out the blank form attached to the protocol and attached to the Protocol.

Decided:

1. Initiative group shall be established in the following composition and named as:

#	Initiator's surname, name and patronymic	Date of birth	Address of residence	Serial number of ID card or its substitute document	Signature	Date
1						

Note: the list of the members of an initiative group shall be compiled and attached to the Protocol upon filling out the attached blank form.

Voting results:

For _____
(in figures) *(in words)*

Against _____
(in figures) *(in words)*

None _____
(in figures) *(in words)*

2. The person _____
(surname, name and patronymic)

Shall be nominated by the initiative group.

Voting results:

For _____
(in figures) *(in words)*

Against _____
(in figures) *(in words)*

None _____
(in figures) *(in words)*

3. Candidate or candidates shall be nominated for a member of the municipality

_____ by the initiative group
(name of the municipality)

Voting results:

For _____
(in figures) *(in words)*

Against _____
(in figures) *(in words)*

None _____
(in figures) *(in words)*

4. It should be applied with notification to the _____ Con.EC # _____ for the approval of the candidate nomination.

Voting results:

For _____
(in figures) (in words)

Against _____
(in figures) (in words)

None _____
(in figures) (in words)

Chair of the meeting _____
(surname, name and patronymic) (signature)

Secretary of the meeting _____
(surname, name and patronymic) (signature)

Note: If the meeting is conducted in the office, organization, institute, then the protocol of the meeting shall be approved by the stamp of these institutes. But if the meeting of the initiative group is conducted in the settlements, then the protocol shall be approved by the stamp of the communal utilities, relevant municipality or executive body.

Surname, name and patronymic of the candidate municipality membership	Date of birth	Address of residence	Serial number of ID card or its substitute document	Main place of work or service (if not any-then type of activity)	Education	Date

Appendix to Protocol¹

#	Initiator's surname, name and patronymic	Date of birth	Address of residence	Serial number of ID card or its substitute document	Signature	Date
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...						

Appendix to Protocol²

REFERENCE

Provided to

_____ (surname, name and patronymic of the person who submitted documents)

because he/she _____ (surname, name and patronymic of the candidate)

has really submitted the following documents to the _____ Con.EC #

_____ for the nomination of the candidate to municipality membership.
(name of the Con.EC)

- 1.
- 2.
- 3.
- 5.
- 6.

(position of the person receiving the document) (signature) (surname, name, patronymic)

P.S.

(status of the person submitting the document) (signature) (surname, name, patronymic)

Note: Relevant Con.EC shall be provided with documents by the candidate, his/her authorized representatives and representative of voters initiative group.

This reference shall be compiled in 2 copies, one copy shall remain in the Con.EC, another one shall be submitted to the person who provides with these documents.

POWERS OF ATTORNEY

I, candidate to municipality membership (registered candidate)

(surname, name, patronymic, date of birth, address of residence, education,

serial number of ID card or its substitute document, main place of work or service,

if not main work or service, the type of activity)

trust

(authorized representative's surname, name, patronymic, date of birth, address of residence, education,

serial number of ID card or its substitute document, main place of work or service,

if not main work or service, the type of activity)

to execute the rights and duties of my authorized representative defined by legislation

in Municipal Elections of the Republic of Azerbaijan appointed to “ _____ ” _____ 20__.

(signature)

(surname and initial of the candidate (registered) to municipality membership)

Note: 1. The powers of attorney shall be approved in notary order.

2. Authority sphere of the authorized representative shall be determined by the person who empowered with such authority. In this case, this occasion should be indicated in the powers of attorney.

3. This Appendix is an Appendix # 3'b' made to the Instruction “On status of authorized representatives of a candidate, political parties, political party blocs in elections (referendum) in the Republic of Azerbaijan”.