

**Comment**  
**On the rules for completing final protocol of Precinct Election Commission on the voting results during the Presidential Elections of the Republic of Azerbaijan**

Rules for completing final protocol on the voting results in the polling station (Appendix #1 made to this Instruction) shall be defined by Articles 100, 106 and 201 of the Election Code of the Republic of Azerbaijan (hereafter referred to as Election Code) as well as this Instruction.

**1. General provisions**

1.1. Final protocol of the Precinct Election Commission (PEC) on the voting results shall be completed by the member of PEC with decisive voting right.

1.2. Persons indicated in Article 40.2 and 40.4 (members of election commissions, registered candidates, their authorized representatives/agents, authorized representatives/agents of political party, bloc of political parties as well as citizens of the Republic of Azerbaijan and foreigners acting as observers) may observe the compiling of protocol.

***Note:** while completing the protocol, all information from each of the items shall be written separately, numbers shall be written in words and numbers. It is prohibited to complete the protocol by pencil or to make any corrections on it. Due to prohibition of making corrections on official protocol, a draft copy of it shall be completed first. The information in the items # 1-6 of the protocol shall be written before opening the ballot boxes.*

**2. Sequence of filling the protocol**

2.1. A protocol shall be completed according to following rules:

2.1.1. **Item # 1 – the total number of voters within the PEC**

**(1=1a+1b):**

2.1.1.1. a) the number of voters in the voter list;

2.1.1.2. b) the number of voters in the additional voter list.

*(The item # 1 shall include the number of voters included in the voters' list of the precinct election commission (1a) and the number of voters in the supplementary voters' list whose suffrage was ensured on*

voting day due to the decision of the precinct election commission (1b) (based on the (permanent or temporary) and supplementary voters' lists). At the same time, the sum of the figures in semi-items # 1a and 1b shall form the number indicated in item # 1 and there should be relevant equation ( $1=1a+1b$ )).

**2.1.2. Item #2 of the protocol** – number of the voters who got de-registration cards

*(This item includes the number of voters included in permanent (or temporary) voters' lists, but who got de-registration cards within the period defined by law).*

**2.1.3. Item # 3 - the number of ballot papers submitted by ConEC to PEC**

$$(3=4+5+6)$$

*(This item includes the number of ballot papers submitted to the PEC by the act of the ConEC. This act should be the basis for entering these numbers. .*

*The equation in the brackets ( $3=4+5+6$ ) , i.e. the figure of item shall form the sum of item # 4 (the number of voters who got ballot papers), the item # 5 (the number of cancelled ballot papers without being used) and the item 6 (the number of spoilt ballot papers).*

**2.1.4. Item # 4 - the number of voters who got ballot papers**

$$(4=4a+4b+4c):$$

2.1.4.1. a) outside the voting room;

2.1.4.2. b) in the voting room - based on voters' lists [(permanent or temporary (and the number of signatures in supplementary voters' lists)];

2.1.4.3. c) in the voting room - with de-registration card.

*(these semi-items include the number of voters who got ballot papers outside the voting room of relevant PEC (4a), the number of voters who accepted ballot papers in the voting room based on the voters' lists (4b) and who got ballot papers with de-registration cards (4c). The sum of these figures is a number of the item 4 and this number should be entered to the relevant line. ).*

**2.1.5. Item # 5 - the number of cancelled ballot papers without being used**

*The number of the cancelled ballot papers without being used shall be included in this item based on the relevant act (unused ballot papers are counted by the commissioners of the PEC by the observation of observers in the voting room before opening ballot boxes and are cancelled by cutting their right corner. The number of these ballot papers shall be declared and indicated in the protocol. The cancelled ballot papers are separately*

collected and packed. An act on cancellation of unused ballot papers shall be compiled).

**2.1.6. Item # 6 - the number of spoilt ballot papers**

*(This item includes the number of spoilt ballot papers on the basis of relevant act (If the voter appeals to the PEC member on the spoil of the ballot paper for any reason, the member of commission shall compile the relevant act and put in the envelope implied for this by cutting half the spoilt ballot paper. After the voting, the additional act shall be compiled on the total of the spoilt ballot papers and these ballot papers shall be separately packed)).*

**2.1.7. Item # 7 - the number of ballot papers in ballot boxes (with the exception of undefined ballot papers<sup>1</sup>)**

***(7=7a+7b); (7≤4); (7=8+9)***

2.1.7.1. a) in mobile ballot box ***(7a≤4a)***;

2.1.7.2. b) in the stationary ballot box ***(7b≤4b+4c)***.

*(The ballot boxes shall be opened one by one and the number of defined ballot papers in mobile and stationary ballot boxes shall be included separately to the semi-item "a" and "b" (firstly mobile, then immobile ballot boxes).*

*The sum of these numbers shall be included in the item # 7 and relevant equality should be observed between them **(7=7a+7b)**. The figure in semi-item # 7a shall be less or equal to the figure in semi-item # 4a and the figure in semi-item # 7b shall be less or equal to the sum of the figures in semi-items # 4b and 4c. According to the equality shown in brackets **(7≤4)**, the figure of item # 7 should be equal to or less than the number of item # 4. The figure of the item # 7 shall be equal to the sum of the figures in the item # 8 (the number of invalid ballot papers) and in the item # 9 (the number of valid ballot papers) **(7=8+9)**).*

**Note:** *Ballot papers in defined form mean the ballot papers in the form approved by the Central Election Commission, numbered, the upper left corner should be cut and right corner be sealed by the relevant PEC stamp..*

**2.1.8. Item # 8 of the protocol – number of invalid votes**

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<sup>1</sup> *An act shall be prepared on the number of undefined ballot papers taken from ballot boxes while counting the votes and added to the final protocol on voting results.*

*(number of the ballot papers without any sign in squares on the right of the candidates' surnames or the ballot papers in the defined form with the signs in more than one square)*

*(According to the above-mentioned, this item shall include the number of the invalid ballot papers due to the impossibility of determining voters' will, as well as the signs put).*

**2.1.9. Item # 9 of the protocol – number of valid votes** *(number of the ballot papers in the defined form with the signs put only in one square on the right of the candidates' surnames)*

**(9=10)**

*(This item shall include the number of the ballot papers considered valid due to the above-mentioned bases. As in the equitation in the brackets **(9=10)**, the figure in this item shall be equal to the sum of the item # 10 (distribution of the valid votes among the candidates to presidency). If this number does not form equitation, then the protocol shall be considered invalid).*

**2.1.10. Item # 10 of the protocol – distribution of valid votes among candidates to presidency**

*(This item contains surnames, names and patronymics of candidates to presidency included in the ballot paper in the order indicated in the ballot paper (in alphabetical order) and the number of votes cast in the favour of each candidate is indicated with words and figures. The distribution of valid votes among registered candidates shall be implemented on the basis of ballot papers indicated in item # 9 of the protocol. The total of votes shall be written at the end of the table and this figure shall be equal with the item # 9 of the protocol (the number of valid votes). If there is no equality, the protocol shall be considered invalid).*

2.2. Date and time of compiling the protocol is indicated after full compiling.

2.3. Final protocol on the results of voting shall be signed by at least 2/3 of the members of precinct election commission with decisive voting right. It is prohibited for commissioners to sign protocols if they are not completed or not wholly completed. PEC member who does not agree with the protocol in whole or its separate parts can attach to it his/her specific opinion by signing the protocol and at this time, the protocol should contain relevant note on this.

### **3. Submission of the protocol together with the documents for attachment to Constituency Election Commission**

3.1. The following election documents on election results shall be added to the final protocol of the PEC and shall be sent to the ConEC immediately but not later than 24 hours by accompany of commission chairman, two members representing different political parties and observers:

3.1.1. first copy of the PEC protocol;

3.1.2. complaints (applications) related to the violation of the Election Code, entered the PEC on the voting day and decisions concerning these adopted by the PEC;

3.1.3. act on providing ballot papers to the PEC by the Con.EC in Presidential Elections of the Republic of Azerbaijan (Appendix # 2);

3.1.4. act on the cancel of the unused ballot papers in Presidential Elections of the Republic of Azerbaijan (Appendix # 3);

3.1.5. act on the issuance of de-registration (voting) cards for voting and cancel of unused voting cards in Presidential Elections of the Republic of Azerbaijan (Appendix # 4) ;

3.1.6. act on the number of cut left corners of the ballot papers in Presidential Elections of the Republic of Azerbaijan (Appendix # 5);

3.1.7. act on the number of the ballot papers spoilt due to the errors of the citizens who voted in Presidential Elections of the Republic of Azerbaijan (Appendix # 6);

3.1.8. act on the number of the ballot papers taken related to the voters' applications for voting outside the voting room, used and returned without having been used in Presidential Elections of the Republic of Azerbaijan (Appendice # 7);

3.1.9. ballot papers;

3.1.10. voters' lists on the precinct [by adding the de-registration (voting) cards].

3.2. The acts indicated in items 3.1.4 and 3.1.5 shall be signed by PEC chairpersons and secretaries.

3.3. Approved copies of the complaints (applications), PEC decisions and the above-mentioned acts should be attached to the second copy of the protocol.

**Note:** *When compiling the protocol, if there any mistake was allowed (inclusion of false information, erasing and other), then the relevant PEC shall make this case official by its decision, shall compile relevant act on*

*this and shall submit the protocol together with this act to the Con.EC within the period implied by law.*

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