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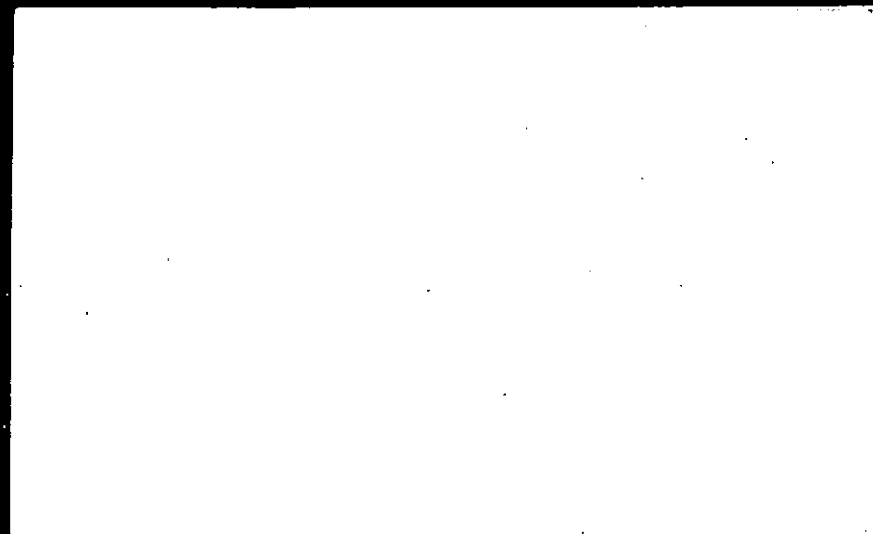
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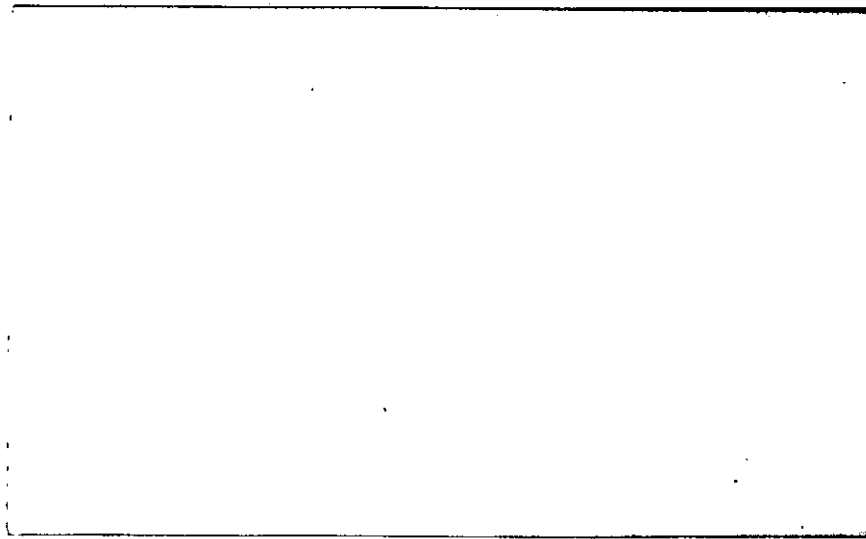
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MAKING DEMOCRACY WORK



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The purpose of IFES is to provide technical assistance in the promotion of democracy worldwide and to serve as a clearinghouse for information about democratic development and elections. IFES is dedicated to the success of democracy throughout the world, believing that it is the preferred form of government. At the same time, IFES firmly believes that each nation requesting assistance must take into consideration its unique social, cultural, and environmental influences. The Foundation recognizes that democracy is a dynamic process with no single blueprint. IFES is nonpartisan, multinational, and interdisciplinary in its approach.



MAKING DEMOCRACY WORK

**Azerbaijan
FINAL REPORT**

September 21, 1997 – December 31, 2002

**USAID COOPERATIVE AGREEMENT
No. EE-A-00-97-00034-00**

Submitted to the

**UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT**

by the

**INTERNATIONAL FOUNDATION
FOR ELECTION SYSTEMS**

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I. EXECUTIVE SUMMARY

In 1995, at the request of USAID, IFES conducted an on-site technical assessment that analyzed the electoral climate in Azerbaijan as the country prepared for the November 12 parliamentary elections and a Constitutional Referendum. As a result of those meetings and based on a review of relevant laws related to the conduct of elections, IFES issued initial conclusions and recommendations regarding the political environment and the status of preparations for elections. Although assistance to the Central Election Commission (CEC) was not possible at that time due to Congressional restrictions on non-humanitarian aid to the Government (Section 907, Freedom Support Act), IFES continued to follow events in Baku after the 1995 elections in anticipation that future technical efforts may be possible.

As IFES observed and the international community reinforced, those elections were flawed, and elections continue to be flawed. During programming from 1998 – 2000 under the Cooperative Agreement, few positive actions were taken by the Azerbaijan government to open up the electoral process to real competition and establish a level playing field for those allowed to compete. During this time electoral practices under President Haydar Aliyev fell short of international democratic standards, even though Azerbaijan made overtures towards addressing these deficiencies in the 2000 parliamentary elections following its admission to the Council of Europe.

Even in this challenging climate, IFES' work in furthering democratic elections and democratic institutions in Azerbaijan achieved measurable, albeit incremental, successes. Planning for IFES' in-country work began in March 1998, after a "carve out" to Section 907 was put in place by Congress. That exemption allowed democracy development assistance to the Azerbaijan government. IFES sent a second technical assessment team to Baku, including a legal advisor and an election administrator, to define activities to be undertaken in support of existing and emerging election systems. During the assessment, IFES met with members of the CEC, representatives from the Office of the President, various ministries, territorial commissions, political parties, non-governmental organizations (NGOs), and international donor organizations. Shortly thereafter IFES provided written legal commentary on the draft Law of Azerbaijan on Presidential Elections. This represented the beginning of what became a permanent IFES in-country presence that supported and pushed for meaningful growth in democratic elections and government structures during the programming period.

IFES established a permanent presence in Baku in August 1998 and undertook activities in support of the October 1998 presidential elections. This on-site effort included support to the CEC to improve the conduct of elections and educate voters. IFES provided technical advice to implement the new election law and, together with the Office for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR), wrote an official election day manual. IFES worked with the CEC to train over 500 election officials to administer the election process according to the new law. IFES also conducted a national voter education campaign with the CEC

resulting in the distribution of over 180,000 posters and fliers, seven televised voter education spots, and a national televised election law forum.

Over the course of the year following the presidential elections, IFES established itself as a trusted advisor to all involved in furthering democracy in Azerbaijan. IFES solidified its position as the nexus of election and democracy support in Azerbaijan between the opposition and the government, evolving local NGOs, and other international NGOs. IFES Project Manager Alan Wall provided straightforward democracy and election expertise on an equal and transparent basis in order to move both the election and democratization process ahead under difficult conditions.

In support of the December 1999 municipal elections and the establishment of the newly elected local government bodies, IFES provided commentary and advice to the Milli Majlis and other interested parties regarding municipal election legislation and other laws affecting municipalities. IFES also continued to provide technical assistance to the CEC. IFES produced and the CEC distributed a polling station manual ensuring that all precinct election commissions had the necessary information to administer the elections. In collaboration with the CEC and supported by many international organizations, IFES also conducted an encompassing voter education campaign that included both print and electronic media components.

In 2000, IFES continued to assist the Milli Majlis and the CEC, worked with opposition parties and with local democracy NGOs in preparation for the November 5 parliamentary elections. Through the continuation of legislation development advice, IFES provided commentary on each draft of the parliamentary election legislation and worked cooperatively with OSCE/ODIHR to support fairer, more democratic election legislation, both for the CEC and for the parliamentary election. When the legislation was passed, albeit with recognizable flaws, IFES worked with the CEC to develop and implement election regulations resulting from the new legislation.

During the summer of 2000, IFES developed and implemented a civic education program to educate Azeri citizens and assess the training needs of newly elected municipal officials. Discussions and interviews with recently elected municipal leaders formed the base of analysis and identification of their training needs. The lack of popular understanding of basic citizen rights in a democracy has contributed to slow democratic reform Azerbaijan. As a result of IFES' civic education work Azerbaijanis received information about their civic responsibilities in municipal governance. This strengthened their understanding of their rights and responsibilities in the democratic process and what they need to do to hold their elected officials accountable.

In late summer 2000, prior to the end of programming under this agreement, initial work was undertaken to support the fall parliamentary election. IFES conducted follow-on work in support of the election under a separate CEPPS agreement, which included election administration support to the CEC, a joint national voter education campaign, and election official training.

Throughout the period of programming under the Cooperative Agreement, IFES consistently pushed to increase the pace of democratic reform in Azerbaijan. This work was reinforced by continued strong, respected relations with the government, opposition and international and local NGOs. IFES concluded its programming under this Cooperative Agreement on September 21, 2000.

As a neutral and non-partisan organization, IFES was able to develop and maintain the trust of those outside the government working to build democracy and democratic elections while maintaining an effective working relationship with the government for the life of the agreement. IFES made solid contributions to the growth of democracy, particularly in legal advising to the government and opposition, introducing transparency though working with all concerned with the growth of democracy, and developing greater public awareness of democratic election standards through vigorous voter education and civic education initiatives. The following final report describes those activities and their impact upon Azerbaijan's continuing interaction with those embracing international democratic standards.

II. PROGRAM ACTIVITIES

A. Legislation Advising

Calendar Year 1998

IFES Provides Commentaries on Presidential Election Legislation

At the request of Shahin Aliyev, Advisor to Azerbaijani President Haydar Aliyev, IFES provided commentary on draft presidential election legislation. IFES Election Administration Consultant Paul DeGregorio analyzed the draft which was part of a series of controversial bills on election issues debated by deputies. Based on these findings IFES drafted its Commentary on Draft Presidential Election Law, May 1998. IFES commentary was presented to Shahin Aliyev, Director of the Department of Legislation and Legal Expertise, of the President's Office, and to U.S. Embassy Baku Political Officer, Michael Bosshart.

In June, IFES legal consultant, Mark Braden prepared second Commentary on Draft Presidential Election Law, June 1998 on revised draft presidential election legislation at the request of Azerbaijan legislation drafters. Following passage of the law in mid-June, the presidential election has been set for October 11th. Again, the IFES commentary was delivered to Shahin Aliyev of the President's Apparatus.

Calendar Year 1999

Although previously scheduled to be held in 1997, municipal elections were re-scheduled for the fall of 1999. IFES Azerbaijan was requested by the President's Apparatus and the Milli Majlis (National Assembly) Committee on Local Government to assist in the development of Municipal and Municipal Election Law and subsequent rules and regulations for implementing the election process.

IFES Discusses Framework for Elected Municipal Government Legislation

With the arrival of Project Manager Alan Wall, IFES Azerbaijan entered into detailed discussions with the Parliamentary Permanent Committee on Local Government. Talks with Committee Chairman Zahid Qaralov focused on the comprehensive legal framework for municipal government in Azerbaijan. The four draft municipal election laws submitted to Parliament included those by:

- The Permanent Commission on the Affairs of Self-government
- The Popular Front of the Azerbaijan Republic
- The Musavat Party
- The Democratic Election Center.

IFES staff developed a comparative analysis of the four draft laws on municipal elections that was provided to the Milli Majlis. The analysis identified the major and minor differences between the various drafts and highlights the electoral concerns of various political forces. The sheer number of laws involved in putting municipal governance in place served to emphasize the amount of work that needed to be done to complete preparations in time for the introduction of the first fully elected local government structures planned for autumn 1999.

The proposed draft legal framework for municipal government included 14 laws and seven regulations, all of which were developed by the Permanent Committee. The laws consisted of four that defined municipal government bodies: on municipal elections; on the status of municipal bodies; on local referendums; and on determining municipal boundaries, amalgamating and creating new municipalities. A further ten laws dealt with the functions and powers of municipal government: management of municipal property; financial systems; municipal taxes; transferring current state property to municipal government; the status of municipal councilors; water supply; municipal lands; municipal services; municipal police; and the principles of mutual relations between municipal councils and organs of state. The seven proposed draft regulations dealt with other important local governance issues: a model charter for a municipal council; a model regulation on territorial self government; the establishment of a permanent Administrative Commission in each municipality; the establishment of a Coordination Council of Municipalities to represent municipalities at the state level; a code for council members; terms of office of municipal counselors; and a regulation on the Department of local Self Government within the President's Office.

IFES Assists Legislation Drafters and Comments on Municipal Government Drafts

IFES Azerbaijan was invited and attended the meetings of the Permanent Parliamentary Committee on Local Government held on April 26 and 29. At these meetings the status of local government and the latest draft laws on local government elections were formally presented and discussed under Chairman Zahid Qaralov.

IFES was the only international organization invited to these discussions. Those attending included: the Speaker and Deputy Speakers of the Milli Majlis; the Chair, Deputy Chair and Secretary of the Central Election Commission (CEC); the Mayor of Baku; representatives from the Department of Justice and the Supreme Court; and other permanent parliamentary committee chairpersons.

At these meetings, the first publicly released draft of the law governing the status of local governments was presented. It outlined a single-tier local government, with citizens determining whether they should have a separate local government, with no minimum restrictions on size, in their area. Significantly, it did not define the powers and functions of local governments, particularly how they would relate to local appointed organs of state that will continue to exist in parallel with elected structures. In addition, it did not address issues such as the determination of local government boundaries, nor fully define

the structure of local government in the two major cities – Baku and Gandja. These omissions were the subject of intensive discussion during the committee meetings. In addition, major changes discussed were:

- The election system proposed was to be solely majoritarian, using multi-mandate constituencies from each, of which three representatives would be elected. The previous proposal envisaged local municipal councils made up of representatives elected by a majoritarian system from single-mandate constituencies, and other representatives elected by local government-wide Proportional Representation of candidates from party lists.
- Unlike earlier proposals, political parties would play no part in these elections and have no rights to nominate candidates. The framework for nomination of candidates would allow self-nomination of individual 'independent' candidates, or nomination by local 'initiative groups of voters'. Leading opposition parties strongly indicated that these two significant changes in the framework were not acceptable to them.

Other significant changes included the devolution of operational control of elections to Territorial Election Commissions (TECs) in each local government area. Members of the TECs would be selected by lot from nominees. An open public meeting rather than an election would select representatives for municipal councils in local government areas with a population of less than 500 (estimated at between 10 and 25 percent of all local governments). More detailed findings can be found in IFES' Comments on the April 26 Municipal Election Law.

CEC and IFES Focus on Draft Municipal Election Legislation

During May 1999 IFES Azerbaijan met regularly with the members of the CEC responsible for drafting the legislation – Deputy Chair Nizami Zafarov and CEC member Sayyed Kerimov - to discuss the content. Information on the often-unsatisfactory operation of block vote election systems in the few countries that have used such systems was provided and discussed in detail. Other critical areas of election operations covered by the law, such as transparency of the counting processes, ballot paper design and controls, and regulations election campaigns, were also discussed in detail.

Throughout May several matters of major disagreement between IFES Azerbaijan and the Committee continued to be discussed at length. These focused on four issues:

- The block vote election system that has now been proposed;
- The support given in the legislation to the formation of economically unsustainable local governments based on very small populations;
- The provision that elections for local councils in local government areas with a population of less than 500 to be by open ballot at village meetings, which has been claimed to have been proposed in order to economize on election funding;

- The lack of clarity in the definition of the powers of elected local government councils vis-à-vis the existing appointed executive committees at regional and local levels.

IFES Azerbaijan Clarifies Functions of Municipal Governance

IFES provided more positive definitions of municipal functions and a legislative framework that would provide local power to municipalities; immediate drafting of acceptable subsidiary legislation to fill in the many gaps of the municipal status law; changing the emphasis of the law to creating sustainable municipalities, rather than large numbers of small municipalities; providing that all municipalities will have a municipal council, elected by secret ballot; and reconsideration of the appropriateness of the single tier model proposed for municipal governance.

On June 24, IFES provided consolidated written comments on the draft laws "On Status of Municipalities" and "On Rules for Elections to Municipalities" to the Chair of the Parliamentary Committee on Local Government, with copies to the Chair of the Central Election Commission, the Chief of the Parliamentary Staff, the Speaker and First Deputy Speaker of Parliament and the Director of the Department of Legislation and Legal Expertise in the Office of the President. The IFES analysis can be found in its Comments on Draft Laws of Rules for Municipal Elections, June 1999. Later in June these comments were discussed again, in detail, with the above recipients and members of the Central Election Commission.

A partial implementation of IFES recommendations regarding the direct nomination of political party representatives to TECs and RECs was offered, but insufficient to meet the 'political balance' model for election commissions recommended by IFES. IFES' recommendation that the proposed multi-mandate majoritarian system be discarded was accepted in principle. The law passed in July 1999.

IFES Invited to Present Comments on Reform of CEC Law

In early October 1999 a bill amending the current law on the CEC was introduced into the Milli Majlis. The bill contained amendments to the terms of office of CEC members, specifying a six-year term with one third of the 24 members being replaced every 2 years, and defined and amplified a number of other issues - including the functions of the CEC. The bill did not address the method of appointment or composition of the CEC. IFES provided oral and written comments to the Milli Majlis and to the Presidential Apparatus. A comparison table of CEC draft laws was developed by IFES staff. IFES compiled the draft laws in its Comparative Analysis of Four Draft Laws on the Central Electoral Commission.

Calendar Year 2000

During January, IFES Project Manager Alan Wall continued discussions with the presidential apparatus and CEC members on content of the parliamentary elections law, the amendments to the CEC law and proposals from opposition party members to amend the law on political parties.

IFES also had frequent meetings with senior officials of major opposition parties Musavat, Popular Front, and Azerbaijan national Independence Party, to discuss their approach to these elections and legislation. Major issues discussed related to reform of the CEC, and the opposition's proposals for the legal framework for the elections. IFES provided advice on international standards, and methods for ensuring that voting results from all voting stations be made widely and publicly available shortly after election day.

IFES Provides Commentary to Draft Law of the Azerbaijan Republic on Elections to the Milli Majlis

In March 2000, IFES Election Administration Consultant Tony Reissig, serving as Interim Project Manager after Alan Wall's departure, prepared extensive written comments on the draft parliamentary election law at the request of Shahin Aliyev, Director, Department of Legislation and Legal Expertise, Office of the President. Mr. Reissig identified significant. The lack of precise language rendered the draft unclear in aspects where clarity was critical to transparency and correct interpretation of concepts. Unduly restrictive elements to democratic election processes remained as well. The IFES analysis can be found in its Commentary on Draft Parliamentary Election Legislation, May 2000. Trefor Owen, formerly of the Australian Electoral Commission, took over as Project Manager in late April from Tony Reissig.

IFES Advises on the Draft CEC Law

Amendments to the draft reflected discussions between the President's Office, members of Parliament, international organizations and opposition parties. In May Trefor Owen suggested a number of positive amendments that assisted in obtaining final consensus. The final version met with positive responses from the international community.

The version of the 18-person CEC that the government finally supported had 1/3 government appointees, 1/3 opposition appointees with the last 1/3 drawn from independent lawyers with decisions by 2/3rds majority. The opposition did not like this model, but it had the advantage of getting them over the third they needed to block election procedures drafted by the CEC. It left them short of the numbers needed to get their own majority. With the support of 1/3 of the members, they would be able to block election procedures drafted by the CEC. (Later, in a July 19 decree, this balance was nullified.)

On June 28, Azerbaijan was admitted membership into the Council of Europe with the request that the Azerbaijan government continue to release political prisoners, to struggle against corruption, *to progress toward establishing a transparent and accountable system*

of government in preparation for the November Parliamentary elections, and address greater transparency and democratic principles in the legislation development process and election administration. Membership was considered an important step forward towards the sustainability of democracy in Azerbaijan.

IFES Continues Commentary on Passed Legislation: Elections to the Milli Majlis

In considering the admittance Azerbaijan into the Council of Europe, and the requests made to the country upon entrance, it was startling to follow the evolution of the parliamentary election legislation, its passage and subsequent decrees because in many ways the legislation and its implementation regressed following CE membership, particularly in election commission membership and leveling the elections playing field. IFES continued to build upon the work of Tony Reissig and Trefor Owen following Mr. Owen's sudden return to Australia in June. In reviewing the legislation passed July 5 and a Presidential Decree signed July 19, IFES continued to discuss sections of the new parliamentary election law with the president's apparatus, opposition parties and democracy non-governmental organizations. The comments made to the President's Office in Commentary on Parliamentary Election Legislation, August 2000 reflect IFES' view on articles including:

- Proportional (Single Multi-Mandate) candidate thresholds for election
- Party Registration and Nomination of Candidates
- Majority Candidate Signature Requirements
- Election Deposits
- Composition of Precinct Election Commissions.

B. Seminars and Roundtables

Calendar Year 1998

IFES Washington Initiates Roundtable Series

As it began its democracy work in Azerbaijan, in Washington IFES started what evolved into an open door policy for Azeris officials visiting the U.S. In May, the Europe & Asia Division invited a coalition of Azerbaijani opposition parties to discuss the upcoming presidential elections, the draft election law and the conditions in Azerbaijan for the election. Members of the visiting delegation were in the U.S. to gather political support and included representatives of the Musavat and Liberal Parties. Division Director Juliana Pilon, Sr. Advisor/Caucasus Phylis Greenfield, and Program Officer Jeffrey Carlson represented IFES at the roundtable.

IFES Azerbaijan Kicks off Country Involvement

Immediately after arrival in August, Project Manager Bill Damour, in conjunction with the U.S. Embassy, addressed a convocation of the Democratic Election Center. The newly registered NGO was comprised of forty-one participating organizations and parties. It was an opportunity for IFES to begin work on the upcoming elections with Azerbaijan NGOs. Under the new presidential election legislation, only registered Azerbaijani NGOs were able to observe at the presidential elections.

IFES Washington Participates in Meetings on Azerbaijan Elections

As the rhetoric surrounding the presidential elections heated up in both Washington and Baku in the fall, IFES Washington staff participated in meetings at the U.S. Department of State, National Security Council, the U.S.-Azerbaijan Chamber of Commerce, and the Embassy of Azerbaijan. IFES used these forums to explain the potential for increasing election transparency in Azerbaijan.

Calendar Year 1999

IFES Focuses on Legislation and Democracy Building

During the winter of 1999, Program Officer Michael Svetlik, acting as Interim Representative in the absence of a project manager, kept the IFES presence and work plan moving forward through meetings and seminars with Azeri and U.S. government officials, and local opposition and NGOs through meetings focusing on municipal governance and municipal election legislation, the time frame for new election legislation, and methods of election administration.

Meetings with key Azeri officials during this time included Committee Chairman Zahid Qaralov of the Parliament's Standing Committee on Municipal Affairs. IFES and the committee reinforced their commitment to work with each other, specifically with IFES providing legal advice to the committee as it drafted municipal governance and municipal election legislation. In another key meeting, IFES met with Safa Mirzayev, the Chief of Staff of the Milli Majlis, and chief drafter of municipal governance and election legislation to discuss legislation issues.

In March 1999 new IFES Project Manager, Alan Wall continued the dialogue with local democracy and civic NGOs as a means of supporting the municipal elections expected later this year. In addition to supporting their commitment to democratic elections, areas of mutual cooperation were explored with the Support Center for Democratic Elections (SCDE), the Azerbaijan Fund for Democratic Development (AFDD), affiliated with the Popular Front), the Center for Democratic Elections, and the Society for the Protection of Rights of Azerbaijan Women after D. Aliyeva.

Dialogue Opens with Legislation Drafters for Municipal Elections

Alan Wall continued the dialog with governmental bodies through discussions on development of electoral frameworks. These included CEC Chairman Jafar Veliyev, Deputy Chairman Nizami Zafarov, Zahid Qaralov and Huseyn Sevdin (Parliamentary Standing Committee on Local Government). All meetings focused on the progress being made in amending legislation governing the composition and functions of the CEC, and the election and operations of municipal councils.

Washington Seminars with Azeri Political Leaders: on Municipal Governance

IFES Washington conducted a seminar in March for USIS-sponsored Azeri Municipal Governance Program visitors. Held at IFES Headquarters in Washington, the group of twenty election officials, NGO leaders and parliamentarians discussed local governance and democratic election processes with IFES President Richard Soudriette, District of Columbia City Council Member Carol Schwartz, Director of Europe and Asia Juliana Pilon, and Senior Advisor/Caucasus Phylis Greenfield. Later in the month, IFES Washington staff met with opposition leaders Rasul Guliev, exiled Chairman of the Azerbaijan Democratic Party, and Isa Gambar, Chairman of the Musavat Party.

Meetings Held with Opposition Leaders

During April, IFES Azerbaijan met with leading figures in opposition parties and affiliated NGOs. Alan Wall and Project Assistant Farida Babayeva held highly constructive meetings with Isa Gambar, Chairman of Musavat Party and with Etibar Mamedov, Chairman of the Azerbaijan National Independence Party, as well as with two leading figures allied with the Popular Front Party – Assim Mollazade, President of the NGO Euro Atlantic Center, and Sabit Bagarov, President of the NGO FAR. At these meetings IFES demonstrated its commitment to wide consultation on electoral and governance issues. In turn, these leaders welcomed the involvement of IFES in the preparation for the planned upcoming local government elections.

IFES Washington Briefs Foreign Service Officers

On June 13, at the National Foreign Affairs Training Center outside Washington, DC, Phylis Greenfield and Michael Svetlik briefed Foreign Service Officers assigned to Azerbaijan, Armenia, and Georgia and deploying this the summer. Mrs. Greenfield and Mr. Svetlik presented an overview of IFES election support activities in the Transcaucasus, including on-going support to the Milli Majlis with municipal election legislation in Azerbaijan. This outreach effort provided these State Department officials with additional perspectives regarding programmatic support of U.S. foreign policy goals.

IFES Participates in ODIHR/Milli Majlis Roundtable on Legislation

On November 16, Alan Wall attended the roundtable on the draft amendments to the law on the CEC jointly sponsored by OSCE/ODIHR and the Milli Majlis. The roundtable was attended by senior government and parliamentary officials, senior officials of government-supporting and some opposition political parties, representatives of OSCE/ODIHR, IFES and NDI, and a large number of representatives of local NGOs. This meeting set the stage for the legislative work on the CEC that would take place in 2000.

IFES Presents at ANIP Conference on Local Government

Later in November, Alan Wall presented a paper on the block vote election system to be used for Azerbaijan's first municipal elections to an international conference on Right-Center Perspectives on Local Government, sponsored by the Azerbaijan National Independence Party. Speakers presented other papers at the conference from the UK, Bulgaria and Azerbaijan, on election and governance issues confronting local government.

Calendar Year 2000

Municipal Governance Assistance Discussed

At the beginning of 2000 IFES Project Manager Alan Wall discussed cooperative measures that could be taken to assist new municipal structures to operate effectively and to institute open links between local communities and elected and appointed municipal officers with many government and independent organizations. These included the Azerbaijan President's Office, representatives of the European Commission, the Permanent Parliamentary Commission on Local Government, and other international NGOs such as the Open Society Institute.

IFES Prepares for November 2000 Parliamentary Elections

During February, IFES Washington staff and other international organizations met at the International Republican Institute (IRI) headquarters in Washington with senior officials from major opposition parties -- including Musavat, Popular Front, and Azerbaijan National Independence Party -- to discuss the fall 2000 November parliamentary elections. Talk focused on the need for international assistance in improving the climate for a transparent and fair election process, the parliamentary election framework, CEC and political party laws, opposition cooperation for the parliamentary elections, and effective methods of obtaining accurate election results from the 2000 parliamentary elections.

OSCE/ODHIR Conducts Conference on the Draft CEC Law

In June, new IFES Project Manager Trefor Owen participated in a round table organized by OSCE/ODHIR on the draft Central Electoral Commission Law. The conference included opposition members, Members of Parliament, members of the ruling party and representatives of the President, and focused on the structure of the CEC, a highly controversial element of the legislation. One model put forward included 18 members; 1/3 government, 1/3 opposition and 1/3 selected from a list put forward by independents. IFES continued to work closely with ODHIR Legislative Advisor Nikolai Vulchanov and members of the opposition in discussing elements of the CEC law both before and after the round-table.

IFES Washington Briefs World Bank

In June, Phylis Greenfield met with the World Bank Caucasus team to discuss Azerbaijan fall parliamentary elections, civil society development, election reform and local governance. During the discussion areas of mutual interest were examined, particularly civil society building as the World Bank will be establishing a project in Azerbaijan. The two organizations discussed country needs, cultural considerations in project methodology and training design to disseminate information and develop understanding in citizens outside Baku on democratic principles, citizen rights and responsibilities in addressing reform.

C. Technical Support

Prior to the establishment of the IFES Azerbaijan office and the initiation of the IFES/USAID Cooperative Agreement, IFES deployed an election technical assistance team to Baku. The team consisted of Legal Advisor Mark Braden, Election Administrator Tony Reissig and Senior Advisor/Caucasus Phylis Greenfield. While in country, the team assessed the election environment, analyzed draft election legislation and the state of the Central Election Commission (CEC). They met with U.S. and Azeri governmental officials, opposition parties, local NGOs and the international community. Initial analysis concluded that technical assistance to the presidential elections would assist the evolution of democratic elections. The initial work plan included training for election officials to administer the new Presidential Election Law, voter education and other election support initiatives including the conduct of a National Opinion Survey.

During this assessment, IFES initiated discussions with Shahin Aliyev, Director of the Department of Legislation and Legal Expertise of the President's Office, Fuad Alekserov, Chief of the State Law Department, Ali M. Hasanov, Chairman of the Socio-Political Department, Office of the President, Jafar Veliyev, Chairman of the Central Electoral Committee (CEC), and Zahid Qaralov, Chairman, Parliamentary Standing Committee on Local Government, and leaders of opposition parties and local NGOs.

In August, IFES established a permanent presence in Baku and opened its office. Initial IFES work in country was headed by Project Manager Bill Damour.

1. Election Support

Calendar Year 1998

Support to the October 12 Presidential Elections, 1998

IFES assistance for the conduct of the presidential elections utilized an integrated approach which included election official training, the development of an election day manual, and a national voter education campaign, international election observer training

and election-day observation. To implement this work, IFES put in place an election support team consisting of:

Bill Damour, IFES/Azerbaijan Project Manager
Diana Cepeda, Voter Education Consultant
Gwenn Hofman, Trainer
Juliana Pilon, Director, Europe & Asia
Phylis Greenfield, Sr. Advisor/Caucasus
Chris Holzen Project Manager, Georgia
Farida Babayeva, Project Assistant

Training to Territorial Election Officials

IFES supported the CEC with intense training to Territorial Election Commission officials (TECs) on the administration of the new presidential election law. Gwenn Hofmann and Bill Damour, together with OSCE/ODIHR's Roumen Maleyev and Simon Osborn trained TEC chairmen and secretaries in 80 out of 82 territories. After completion of their training, the officials trained their own TEC members, who in turn trained 45,000 Precinct Election Commission (PEC) members to administer the new election law in a cascading training sequence.

Joint IFES/OSCE Development of an Election Day Manual Support the CEC

Of equal importance to the numbers trained was the development by IFES and OSCE of the election-day manual by Gwenn Hofmann, Bill Damour and OSCE/ODIHR's Roumen Maleyev. Adopted by the CEC as the official operations manual and used by the PECs on election day. The combination of effort in developing the 25-page manual provided the approximately 45,000 PEC officers with their first-ever election-day administration manual.

Voter Education

Beginning in early September and continuing up to election day, IFES Voter Education Consultant Diana Cepeda launched a voter education campaign in consultation with the CEC. The national operation used print and televised messages focused at explaining new voting processes to Azeri citizens under the new presidential election law. Together with local production companies, Ms. Cepeda produced eight 60-second television spots. The spots educated voters on the use of the mobile ballot box, voting procedures for refugees and internally displaced people, the need for individual (not family) voting, proper use of the new ballot, the role of election observers, and the details of the counting process. IFES also worked with the state television channel to conduct a live forum with members of the CEC that was broadcast across Azerbaijan. The hour-long program provided an opportunity for voters to pose questions to the members of the CEC via telephone.

IFES' print campaign included brochures illustrating proper voting procedures for internally displaced persons (IDPs) and documentation required for identification. Distribution of the brochure included IDP camps as well as the cities and regions of Azerbaijan. Other educational materials produced by IFES included two posters for each polling station – one outlining the steps for voting and the other depicting the correct marking of ballots.

IFES Assists Election Observers

IFES Azerbaijan provided training on the election process according to the new law to international observers monitoring the elections. Copies of the election manual were also distributed to the observers. IFES briefed OSCE, the National Democratic Institute (NDI) and the International Republican Institute (IRI), as well as group of Central Asian election officials in an Academy for Educational Development participant training activity.

IFES Observes Presidential Elections

During the election, IFES Azerbaijan observed election officials to assess the implementation of training received and the impact of the IFES voter education campaign. It was clear to all on the observation teams -- Juliana Pilon, Phylis Greenfield, Bill Damour, Chris Holzen, and Farida Babayev -- that the voting process was flawed. However, the IFES team, deployed to both urban and rural precincts, including IDP camps, universally noted that an effort was being made to adhere to the new law in some of the more obvious legal reforms such as family voting, security regulations, posted candidate platforms and secrecy of the ballot.

Post Election Action: Election Complaint Adjudication and Resolution

Following the election in October, continuing through the remainder of the year and into the new year, IFES/Azerbaijan monitored the CEC's handling of election complaints. The CEC was not forthcoming with information about complaints filed following the election or in their resolution. By the end of December, the CEC had provided no information concerning the resolution of complaints.

IFES Assists in Procuring Ballot Numbering Machines

In an effort to increase transparency and confidence in the voting process, the CEC, in September, adopted procedures to consecutively number ballots. The CEC discovered only two weeks before the election that the technical equipment to accomplish the numbering of the ballots was not available in Azerbaijan. Through a joint effort, the CEC, Presidential Apparatus, Customs Office, British and American Embassies, IFES Azerbaijan, Pierce Equipment of Nashville, TN, and the Azerbaijani Government printing house joined together to purchase, transport, and install two rotary numbering machines. While these machines unfortunately arrived too late for use in the October

election, The Azeri government assured the international community they would be used in future elections.

IFES President Richard Soudriette formally conveyed the one of the numbering machines to CEC Chairman Jafar Aliyev in a letter advising that with funds from USAID, IFES had transferred to the CEC \$36,600 to cover the cost of a ballot numbering machine purchased in October 1998 by the CEC. The Azeri government stated to both the U.S. and British governments at the time of purchase that it intended to use the machines and number ballots for all future elections in Azerbaijan as an aid to increasing transparency in the election process and decrease fraud. They were not used in any of the succeeding elections in 1999 or 2000.

Calendar Year 1999

Election Complaint Adjudication Pursued

IFES Azerbaijan continued to make requests to CEC provide information concerning the election violation complaints filed by candidates and others following the October 1998 Presidential Election. Despite this sustained monitoring effort, the CEC provided no information concerning the resolution of complaints.

Election Support to the December 12 Municipal Elections, 1999

The first municipal elections in Azerbaijan, due in 1997 under the current Constitution of the Azerbaijan Republic, were held on December 12 1999. Elections were held in 2665 municipalities, for municipal councils varying in size between 5 and 19 members, depending on the population of the municipality. There were 21,087 municipal councilor positions for which these elections were held - under a multi-mandate majoritarian (or block vote) system. On December 13 the CEC announced that 52.6 percent of the voting population had participated in the elections.

In order to enhance transparency of the December election process, IFES Azerbaijan collaborated with the CEC, to develop programs in voter education and training, in addition to providing technical assistance in all aspects of election administration. To implement this work, IFES put in place an election support team consisting of:

Alan Wall, IFES/Azerbaijan Project Manager
Brenda Oppermann, Voter Education Consultant
Catherine Barnes, Voter Education Consultant
Gary Oulette, Begin, Trainer
Michael Svetlik, Program Officer/Caucasus
Farida Babayeva, Project Assistant
Shahla Mahmudova, Office Manager
Afig Jahangirov, Project Assistant
Eldar Babayev, Logistics Coordinator

IFES Wages Voter Education Campaign

IFES Voter Education Consultant Brenda Oppermann together with Alan Wall developed and implemented an extensive education campaign for the December 12 municipal elections. IFES coordinated the efforts of a number of NGOs and worked in conjunction with UNDP to produce a unified education and information campaign in collaboration with the CEC. Voter education products were funded by Internews, the Open Society Institute, the UK government, and IFES.

The first of a series of 10 video PSAs were shown on air beginning in late October. On the same day the first of a series of over 30 print media advertisements was carried by major national newspapers. The initial advertising focus was on the concept and functions of municipalities -- a new institution in Azerbaijan.

IFES voter education activities in support of the local elections concluded in December. Television PSAs were run for up to 25 minutes per day on State and private TV channels. Supplies of pamphlets on municipal functions and voting procedures, election stickers and coasters, and voting procedures posters were distributed to tertiary education institutions, other institutions such as polyclinics and hospitals, and retail establishments in early December. Plastic tote bags printed with voting day reminders were distributed to bazaars and retail establishments throughout Azerbaijan in early December.

The IFES-developed posters showing the voting process in five simple steps, and advising voters how many candidates they could vote for, were prominent in all voting stations on voting day. Many were observed displayed in TEC and PEC premises in the weeks leading up to voting day.

The success of the voter education campaign, especially in regional and rural areas, was exemplified by the high level of knowledge of municipal functions and election procedures shown by local residents interviewed for the three municipal elections TV shows produced jointly by IFES and Internews. The second and third of these shows were finalized and put to air on State and private TV channels in the first two weeks of December.

IFES Produces Voting Day Guide for PEC Members

Following intervention from the office of the President, the CEC agreed to work with IFES on a Voting Day Guide for PEC Members. The 14,000 copies of the Guide -- approximately three per voting station -- were distributed by the CEC during regional training sessions for PEC members. IFES printed an additional 10,000 copies which were immediately distributed to local organizations -- NGOs and political parties -- with observers accredited for these elections, so that they would also be fully aware of the approved voting and counting procedures. International observers noted that in all voting

stations visited on voting day the Guide was in use by local observers, and had been distributed to PEC members.

IFES Advises the CEC on Counting Procedures

In October, IFES advised the CEC on the development of instructions for the conduct of voting and ballot counts, the format and contents of ballot count result protocols for PECs and TECs, and the design of the ballot paper for the December municipal elections. IFES closely coordinated its work in this area with OSCE/ODIHR to present joint comments and proposals to the CEC.

IFES Assists Election Observers

Over 28,000 local observers and 33 international observers were accredited by the CEC to observe these elections. Local observers represented registered political parties and NGOs. International observers included delegations from the Council of Europe, the Turkish Parliament, and representatives of international organizations in Azerbaijan. IFES provided election technical and observation reference materials for international observer delegations.

IFES Observes Municipal Elections

During the election, IFES Azerbaijan observed the elections to assess the implementation of training received and the impact of the IFES voter education campaign. No report was issued. Observers for IFES on election day included Alan Wall, Michael Svetlik, Farida Babayeva, Shahla Mahmudova, Afig Jahangirov, and Eldar Babayev. It was clear that the voting process was significantly flawed. An unscientifically selected sample of 27 out of 4683 voting stations does not give a high level of confidence in any overall judgment about the elections. In addition, for the count of ballot papers, only one voting station was observed. However, the findings of the IFES teams were fully consistent with what was reported publicly by the Council of Europe delegation, and in debriefings by teams from NDI and IRI. These findings noted that there was consistent evidence of the following:

- Poor security on and management of unused ballot papers, providing significant opportunities for ballot box stuffing and multiple voting;
- Unauthorized persons present in the polling stations;
- During the count of ballot papers, significantly more ballot papers were found in the ballot box than there were voter receipts for receiving a ballot paper – evidence of ballot box stuffing;
- Unauthorized use of the mobile ballot box.

IFES observed instances of voters receiving more than one ballot paper, and one municipality where the ballot paper was improperly printed and the election should have

been totally annulled. Notes on the election observation can be reviewed in Conduct of the Municipal Elections, December 1999.

Calendar Year 2000

As the election process concluded, the CEC announced that repeated elections were to be held on March 26, in 76 municipalities where the required minimum turnout for election validity (25 percent of voters) was not achieved.

Election Support to the March 26 Municipal By-Elections, 2000

IFES provided voter information in support of the March 26 municipal by-elections and subsequently observed the results.

Voter Information Provided

In cooperation with the CEC, IFES increased voter information and transparency through the production of voter education materials and Precinct Election Day guides. The voter education campaign provided clear concrete information and materials that resulted in better informed voters on election day.

IFES Observes March 26 Municipal Repeat Elections, 2000

The repeat municipal elections were held in 76 municipalities where the required minimum turnout for election threshold (25 percent of voters) had not been achieved in the December 1999 election. Two IFES teams conducted the observation, visited 18 precincts and reported no serious irregularities. Voting stations were generally set up in the prescribed fashion, although voting compartment allocations were often insufficient for peak periods, and not all PECs managed to control the waiting crowds properly during these peaks. Information materials prepared by IFES were generally prominent in the voting stations, though not all had placed ballot-marking posters in the voting compartments. Minor irregularities included family voting. Some ballot papers were distributed prior to voters entering voting booths, which allowed voters to mark ballots in public, and in some precincts unauthorized persons were present in the polling stations. Initial reports indicated that 75 of the 76 municipalities achieved the 25 percent threshold.

Azerbaijan Results Center – ARC

IFES worked with other U.S. and international organizations on the advisory committee to assess and develop plans for a parallel vote count center, a concept first suggested by the Azerbaijan National Independence Party and initially developed by Alan Wall, former IFES Azerbaijan project manager.

Development of plans, including a feasibility study, continued over the spring within the international community. At a meeting of the European Ambassadors and U.S.

Ambassador, Ramiz Mehdiyev of the President's Office gave verbal agreement to the Azerbaijan Results Center. In July the U.S. government sponsored Consultant Neil Nevitte to assess the feasibility of implementing such a parallel voter verification center on election day in Azerbaijan. Despite high hopes for a results center, the plan did not go forward.

Election Support to the November 5 Parliamentary Elections, 2000

Following adoption of the Law on Parliamentary Elections, President Haydar Aliyev announced that elections to the Milli Majlis would be held on November 5th, 2000. Under the newly adopted law governing the conduct of these elections, voters would choose parliamentary representatives under a majoritarian system in 100 election constituencies, while another 25 representatives will be chosen on a nation-wide party list ballot on a proportional basis. Under the law, political parties or blocks receiving at least six percent of the party list vote would gain representation in the Milli Majlis.

In August, in consultation with the new CEC Chairman Mazahir Panahov, IFES determined to provide support to the November 5 elections through the provision of technical assistance to the CEC including:

- Technical advice in the administration of the elections under the newly enacted parliamentary election law;
- Election administration training;
- Jointly administration of a national voter education campaign (partially supported with funds and technical expertise from the British Embassy's Good Governance Fund and Internews).

To implement this work, IFES, in the final days of the Cooperative Agreement, assembled an election support team consisting of:

Elsie Chang, IFES/Azerbaijan Project Manager (Acting)
Micheline Begin, Election Administration Consultant
Amanda Weisbaum, Voter Education Consultant
Michael Svetlik, Program Officer/Caucasus
Shahla Mahmudova, Office Manager
Afig Jahangirov, Project Assistant
Eldar Babayev, Logistics Coordinator

Advice and Guidance to the CEC

As the CEC prepared for the November election and at the close of the Cooperative Agreement, Micheline Begin, working continuously and cooperatively with the CEC, began providing technical recommendations in key areas, including:

- Development of administrative procedures;
- Adoption of regulations;
- Participation of domestic and international observers;
- Establishment of a uniform vote counting and results calculation system;
- Creation of an election complaint adjudication process;
- Ballot design, accountability, distribution and security.

Cascading Training Plan

Working closely with the CEC, IFES began designing a cascading Training of Trainers program for election commission members. This included the Elections Day Guide as a resource for the elections commissions at all levels. This support aimed to increase transparency in the election administration process and improve adherence to international standards of democratic elections.

IFES and the CEC Collaborated on Voter Education Campaign

In mid-September, Amanda Weisbaum began work on the joint voter education campaign in support of the parliamentary elections. This collaborative effort would later include the production of both electronic and print materials to inform voters of election procedures under the newly enacted election law. With the support of Internews through TV production assistance, six public service announcements were developed. Print materials were part of the campaign design and included brochures and posters.

2. Ongoing Support and Technical Development Work

IFES Provides International Community with Translations

The continual translation and distribution of materials from Azeri or Russian to English was a major contribution to the transparency and communication process. Throughout IFES' two-year tenure in Azerbaijan the IFES/Azerbaijan staff translated legislation drafts, passed legislation, regulations, decrees, comments and other documents concerning elections and democracy development. These were accomplished as quickly as careful and accurate translation allowed once original documents were made available. Translated texts were usually reviewed cooperatively with other international organizations to ensure the accuracy of the translations. Translations were then shared with all in the international community. Specific translation titles are included under

National Public Opinion Survey

At the request of U.S. Ambassador Stanley Escudero, IFES conducted a national public opinion survey in Azerbaijan in October and November 1998 following the presidential elections. The survey provided indicators of citizen satisfaction with overall democracy and governance, economic satisfaction indicators, and trust in the government and

electoral system. This survey was pioneering effort for two reasons: it was the first authentically national survey of public opinion in the country's history, and it was the first survey to focus on attitudes toward the political and economic transition occurring in Azerbaijan. As such, the survey provided a baseline against which future surveys could be judged, and therefore was to have been an important contribution to social science research in Azerbaijan, quite apart from the results of particular questions.

Interviews were conducted with a sample of 1000 randomly selected adults that was nationally representative of the entire population. Interviews were conducted in all regions of the country, in both urban and rural locations. The survey design and questionnaire were developed IFES Survey Specialist Steve Wagner with sample design and interviewing accomplished by the private firm SIAR in Baku. IFES sought to derive meaningful generalizations about the Azerbaijani population by examining patterns of responses to key questions and aggregating the data in a final step through a technique known as cluster group analysis. The survey assessed:

- The public's degree of political liberalism, measured by their embrace of democracy;
- The public's degree of economic liberalism, measured by their embrace of a market economy;
- The public's degree of satisfaction with the performance of government at various levels including officials' responsiveness to public opinion and respect for individual rights;
- The extent of public satisfaction with the circumstances of their country today measured by various questions on the economy and the situation in Azerbaijan in general;
- The relative degree of public aversion to or enthusiasm for change; and
- The extent of information consumption and awareness of public policy.

These indicators, based on IFES experience in conducting more than a dozen surveys in former Soviet republics, yield a robust portrait of the public opinion landscape, as far as the political and economic evolution of the nation is concerned.

Because the survey was done at the request of the U.S. Embassy, there were certain steps in the public release of the results that were followed, and indeed, at the request of the U.S. Embassy the survey results were never released. The results were to be released, pending clearance by President Haydar Aliyev. Due to a number of circumstances, including the health of the Azeri president, the results were never made public, nor was the survey ever presented to the President by the Embassy. IFES distributed the completed study to USAID in February 1999, and Steve Wagner provided USAID and the Embassy with a series of briefings on the survey in April 1999 in Baku. While the survey would have provided key indicators to the Azerbaijan government, to the U.S. government, to international organizations and to the Azerbaijani public signaling growth or needs for democratic practices, this was not realized

IFES Civic Education Project Serves Citizens and Municipal Governance

The Civic Education Project conducted by IFES Civic Education Specialist Elsie Chang delivered civic education about municipal governance and the fall parliamentary elections to Azerbaijani citizens at the community level. An important aspect of the project was the assessment of local municipal officials. The activity strengthened citizens' understanding of their role in municipal governance in 64 communities.

Using lessons learned from other IFES civic education activities in Bosnia and Herzegovina and Georgia, the Azerbaijan civic education program began with an extensive training program for six Azeri trainers. Following six days of training on the legal framework of the municipal elections, adult education theory, public speaking techniques and interactive training strategies, the trainers traveled in pairs to organize and meet with citizens in groups of 15 to 50 in communities in the regions of Baku, Guba, Ismaili, Shaki, Ganja, Tovuz, Shirvan, Astara, and Lenkoran. The meetings included discussions on:

- Municipal laws, municipal mandates and responsibilities of elected municipal officials;
- Citizen activism in their municipalities; and
- Citizen questions concerning municipal functions.

Community Meetings Identify Citizen Information Needs

The meetings identified a dearth of objective information available to the public about politics and governance and, especially, local governance. As a result there is a strong need for a country-wide grassroots civic education program focused on Azerbaijani citizens. The installation of new municipal structures has focused attention on the public's need for basic information and understanding about local self-governance and the role and responsibilities of both elected leaders and citizen participants.

Elected Officials Interviewed

Concurrent to the community citizens meetings, Elsie Chang interviewed elected municipal officers on establishing charters, municipal working groups, municipal land and property, taxation programs, and collecting tariffs. Elected municipal members were often unclear about their mandates, their municipal rights, and their responsibilities. Compounding the challenges faced by elected municipal members is the overlying parallel structure of Government of Azerbaijan appointed local Executive Authorities. An additional problem was the legislative framework of municipal laws that provided municipality's residual powers and unclear timelines concerning the collection of municipal revenues. During the first phase of the assessment, IFES identified a core group of municipal councilors that

demonstrated initiative, innovation and determination to succeed in implementing municipal governance.

D. NGO Support and Development

Coordination with International NGOs Operating in Azerbaijan

In the spring of 1999 Project Manager Alan Wall began meeting with several international NGOs working in the democracy and governance field in Azerbaijan to exchange information on current developments and work plans and to coordinate future activities. Discussions with ISAR and the Eurasia Foundation focused on the roles of local NGOs. In addition, IFES discussed enhancing the complementary aspects of their respective democracy and governance programs with NDI, IRI, the American Bar Association and the Friedrich Neumann Foundation. IFES continued to coordinate and cooperate in election reform work with OSCE/ODIHR as well.

Seminars for NGOs and Candidates

In conjunction with Baku Executive Authority, IFES training consultant Gary Oulette presented, in each of the districts of Baku, a series of seminars for NGOs and candidates from political parties and voter initiative groups, on international models of local government elections, functions and operations.

NGO Support in the Municipal Elections

IFES continued to provide assistance to domestic NGO's that were recruiting and training observers for the municipal elections. In conjunction with NDI, the Open Society Institute and the Eurasia Foundation, IFES provided technical assistance for drafting training materials and conducting observer training sessions to the independent NGO "For the Sake of Civil Society." Materials and presentations on observation methodology and international standards in election observation were provided others who participated in monitoring election activities. This assistance focused the development of a manual/reference book for the NGO's estimated 3000 election observers, associated checklists and report forms for observation; and assisting, with NDI, in the development and presentation of training sessions for FSCS observers and regional managers.

Continued Mentoring Supports the Development of Civil Society and NGOs

IFES continued to support local NGOs and organizations such as the private Azerbaijan University by advising on how to make new municipal structures work for the population and how such groups can participate in the process of governance. IFES began participating in the university's regular Sunday democracy-oriented seminars and shared views on legislative development. These discussions were open to local NGOs as well as to students.

Azerbaijani NGOs had access to the IFES Resource Center which provided material and information. The Center contained over 2000 documents regarding civil society development and legislation, election laws, and election manuals, examples of forms and procedures, and anti-corruptions initiatives.

E. Manuals, Commentaries, Comparative Materials, and Media Products

Calendar Year 1998

Translation: Draft Presidential Election Law

Commentary on draft Presidential Election Law, May 1998

Commentary on draft Presidential Election Law, June 1998

In support of the 1998 presidential elections, IFES produced:

- Official CEC Training Manual for the Presidential Election (Azeri, English)
- 150,00 voter education brochures (Azeri, English) illustrated the steps to follow in casting a ballot
- 10,000 posters on proper voting procedures (Azeri)
- 5,000 posters on correctly marking ballots (Azeri)
- 8 60-minute TV PSAs for voter education (Azeri)
 - *Voting Process*: explain and demonstrate the steps to voting and the required documents;
 - *No family voting*: informed voters in a humorous manner the change in the electoral law that did not permit for one family member to vote for the entire family;
 - *Mark your ballot correctly*: this spot focused on educating voter on the acceptable markings of the ballot;
 - *Your vote is secret*: stressed that voters had a right to a secret ballot;
 - *The role of observers*: explained the different and important roles of the international and local observers in guaranteeing integrity and transparency in the process;
 - *Mobile polling stations*: this spot provided information on the mobile polling station and how to have access to one;
 - *Refugee voting*: this spot provided specific information for the refugee population on how and where to vote;
 - *Counting process*: informed voters on how their vote will be counted emphasizing the role of security in ensuring accuracy.
- 1 televised town hall forum on the presidential elections
- IFES briefing book for the Azerbaijan presidential election

Calendar Year 1999

Comparisons of Draft Laws On Municipal Elections

Translation: CEC law of the republic of Azerbaijan (translation into English)

National Public Opinion Research Survey

Briefing papers on municipal election and municipal governance legislation. Series of four briefing documents (English)

Commentary/Consolidated written comments on the draft laws "On Status of Municipalities" and "On Rules for Elections to Municipalities" to the Chair of the Parliamentary Committee on Local Government (Azeri and English).

Materials developed in support of the municipal elections. IFES augmented its own production effort through leveraging funds from other international organizations. This effort included the collaboration with the British Know How Fund, the Open Society Institute and Internews. This resulted in the use of an additional \$48,000 to produce additional voter education materials.

- Election Day Guide (24,000 copies of a 24-page manual, 3 per PEC [also distributed to other local organizations – political parties, local NGO observer groups (Azeri, English);
- Ten video PSAs, on municipal functions and municipal election related issues (Azeri), (Produced by IFES in collaboration with Internews);
- Print media advertisements (30) and information articles (4) carried by major national newspapers (Azeri);
- Seven hundred fifty-thousand copies of two pamphlets – 1 on municipalities and their operations, another on voting procedures (Azeri), (Produced by IFES in collaboration with Open Society Institute);
- Giveaway products reinforcing the election's main messages. These include: coasters (100,000), plastic carry bags (100,000), and stickers (100,000) (Azeri), (Produced by IFES in collaboration with British Know How Fund);
- Series of posters (3) for precincts explaining the voting procedures (Azeri).

IFES also assisted:

- The Open Society Institute in the development of a wallet card detailing municipal functions;
- Internews in the development of a series of 3, fifteen-minute programs of 'person in the street' regional interviews on municipal election related issues.
- Local NGO Center for Humanitarian Research and the Norwegian Embassy in the production of a booklet for candidates providing a practical guide to the law and

other issues; and coordinating with UNDP in developing their voter education products.

Comparison of Draft Amendments to the CEC Law

Calendar Year 2000

In support of the March 26 Bi-elections, IFES produced:

- Voter Education (produced in Azeri)
 - Video PSAs, on municipal foundations and municipal election related issues
 - Series of posters (3) for precinct explaining the voting procedures
- Election Day Guide (500 copies of a 24-page manual)

Translation: Election Law (into English)

Translation: Decrees governing the structure of municipal actions on: municipal service; charters; property; transfer of property; finance; and local opinion surveys

Translation: Democratic Congress draft of Parliamentary Election Law

Translation: Draft law on Political Parties

Translation: Law of the Azerbaijan Republic on Elections to the Milli Majlis, Drafts 1, 3

Comments On The Draft Parliamentary Election Law

Translation of Law on Elections to the Milli Majlis (final version)

Comments on adopted Law on Elections to the Milli Majlis

1500 copies of Municipal Governance Civic Education Brochure (English, Azeri).

Materials and products produced for the November 5 parliamentary elections were developed after the Cooperative Agreement was completed, and are not listed here.

F. Resource Center Development and Material Dissemination

In spring 1999, electoral legislation from 60 countries was added to the fledgling Baku Resource Center. The Resource Center, in addition to maintaining copies of election legislation and other democracy and election building works, distributed copies of the Administration and Cost of Elections (ACE) Project CD-ROM to both government bodies developing election frameworks, and to other international NGOs providing electoral assistance in Azerbaijan.

As the Resource Center continued to collect materials, it began distributing information to political parties, local and international NGOs and government authorities. Given the current debate on municipal election laws, much of this information related to the topical subject of election system design and election commission composition. Electronic indexes of the Resource Center's holdings of electronic materials were completed and distributed to the offices of government authorities, local and international NGOs and political parties.

Later, during January 2000, research by IFES Azerbaijan staff resulted in the addition of several hundred new electoral and governance related information documents in electronic format being available in IFES' Baku Resource Center. A CD-Writer was added to the equipment in the Resource Center. It permitted large amounts of information to be placed on CDs instead of numerous disks, thus making information more accessible and manageable for those requesting information. At the conclusion of the Cooperative Agreement, the Center held about 2000 documents including electoral related laws, election manuals, examples of election forms and procedures, election observation reports and recommendations, anti-corruption initiatives, public management reform and performance issues. This information is not available anywhere else in Azerbaijan, indeed the Caucasus, and is the primary source of information on democracy and election development.

III. SIGNIFICANCE OF ACTIVITIES

Under the exemption to Section 907, democratic support activities are encouraged by the U.S. Government. IFES was the only American organization providing continuous democratic election support to the Azerbaijan government. The impact is that the government received a sustained and continuous message in democratic election legislation advising and election administration.

IFES consultation on election legislation increased the transparency of its development and exposed the Azerbaijan government and others involved in legislation creation to international standards of transparency and integrity in democratic elections. A strong, trusted partnership on election matters was built.

Legislation Commentary Raises Azerbaijani Awareness of Election Standards

IFES commentary, throughout the length of the Cooperative Agreement, addressed key articles in election legislation and governance -- including articles on the CEC which affected transparency of the election process and insurance of citizens' and political parties' equal participation in the electoral process. IFES' prepared comments, as well as those of other international organizations, significantly encouraged Azeri leaders to modify the electoral legislation.

Although not all of IFES comments were included in final legislation, the Azerbaijani government was well aware of international standards for election legislation and municipal governance. IFES contributed to this reinforcement in a very tangible way through broad provision of legislation commentary and participation in discussion with the President's Office, Parliamentary Committee on Local Government, members of the CEC, local and international NGOs and opposition political party leaders regarding the draft legislation.

Technical Assistance to the CEC Increased Awareness, Skills, and Knowledge

The CEC felt the impact of continued and consistent U.S. technical support to increasing the transparency in the election process, regardless of whether they were prepared for that increased transparency. This reinforced the precept that there are universal standards for democratic elections, and if a country purports to adopt democratic election principles then such standards will be applied by the international organizations invited to work with the host government.

Election Day Guides for Elections, 1998-2000

Producing the first ever election training manual, IFES provided the CEC, TECs and PECs with a concrete and consistent set of instructions for administering elections according to the new law.

Voter Education Provided Information on New Election Processes.

In cooperation with the CEC, IFES made a significant impact in field of voter education and information. The multi-media campaign provided the Azerbaijani voters with clear and concrete information materials that resulted in voters that were better informed of their rights and responsibilities during the elections. Citizens received consistent and accurate messages about new election procedures.

Training to Election Officials Increases Consistency in Administration

Azerbaijan election officials at all levels were better trained and able to administer election laws in a transparent and democratic process, as reflected in new election laws.

Vigilance to Election Complaints Reinforced Due Process and Accountability

IFES continued to confirm its message of vigilance to the CEC in addressing election complaints and their adjudication as an integral part of a democratic election process. While reports on election complaints and the status of the adjudication process in general were not forthcoming from the Central Election Commission, IFES' persistent monitoring and contact with the CEC has made an impact, demonstrating that the international community is monitoring the process, and that implementation of an

adjudication system is a normal and expected part of a reformed and transparent democratic election system. The lack of forthcoming information underscores the need for continued diligence in working with the CEC in reforming the election process.

Translations Impact on Evolution of Democracy

All international organizations working in Azerbaijan had access to non-biased and accurate English language versions of election and other democracy-building draft legislation, decrees, regulations and other official and non-official Azeri language documents. This provided a valuable focus that allowed a fair degree of consistency between groups. By expanding the translations beyond government-generated drafts to opposition and NGO-developed materials, the importance of broad democratic constituencies contributing to the evolution of democracy in Azerbaijan was reinforced.

Resource Center Provides Information on Democracy and Election Reform

The Resource Center at the IFES Baku office -- open to all with a stake in the development of democratic election process -- assisted in the provision of comparative materials including much-needed legislation as the Azeris develop municipal and municipal election legislation.

NGO Training Enhanced

IFES has had a positive impact on the development of democracy NGOs through sustained and continuous mentoring. IFES worked with Azeri NGOs through seminars and ongoing meetings. Topics, in preparation for elections, or in general developmental support, included international models of municipal and parliamentary elections.

Civic Education Activity Furthered Accountability of Elected Leaders

The IFES municipal governance civic education activity reinforced the importance of responsive, representative local governance in the further evolution of democracy in Azerbaijan. Through direct contact with elected municipal officials and citizens in Azerbaijan, IFES emphasized the legal obligations and civic responsibilities of both municipal governments and citizens in newly created local government structures. The activity strengthened citizens' understanding of their rights and responsibilities in the democratic process and encouraged accountability of Azerbaijan's first generation of elected local officials.

IV. COMMENTS AND RECOMMENDATIONS

Lack of Political Will

Since coming to power in a coup in 1993, President Haydar Aliyev has often spoken of a

desire to promote democracy in Azerbaijan. Despite these professed intentions, Azerbaijan's progress toward establishing a more open and accountable system of government has been inadequate. Few positive steps have been taken toward opening up the political process to real competition, nor has a level playing field been established for those allowed to compete.

IFES is the first western organization to provide continuous technical administration support to the election process in Azerbaijan. Old style politics and operational procedures persist in the CEC, and new, democratic election practices are barely tolerated. Tacit support and inclusion of IFES in election administration activities means that IFES influences the CEC's work positively and that there is impact. It is clear, though, that until there is a greater acceptance of democratic reform, change and progress in instituting greater transparency into the election process will be slow.

Lack of Popular Understanding of Basic Citizen Rights

This lack of understanding includes citizen rights in a reformed, democratic election process, or in a democratic environment in general, and in the new social and political responsibilities involved in democratic governance.

Flawed Electoral Practices

The voting process continued to be tainted by instances of fraud. All elections fell short of international democratic standards. This reinforced a larger, continuing need for Azerbaijan to move toward establishing a more open and accountable system of government. President Aliyev and senior members of his staff, however, continued to make it clear that the process of democratic reform will proceed at a rate that agrees with their desired pace of reform, not with that of the international community.

IV. PROJECT IMPLEMENTATION

The Cooperative Agreement between USAID and IFES over the years 1998—2000 was implemented through a series of work plans developed every six months in 1998, then annually for 1999 and 2000. IFES carefully developed each work plan for the prescribed upcoming period of time. They were developed to address USAID strategic objectives in country as they evolved, and were modified and to keep within the parameters of the original, approved proposal. The funding levels changed from year to year and were modified from the original proposal based on Congressional funding levels to Azerbaijan, democracy designations, activities targeted by USAID and, of course, expected elections.

V. FIELD OFFICE AND PROGRAM ADMINISTRATION

IFES assembled a strong program team for the implementation of the Cooperative Agreement, both at its headquarters in Washington and in the field office in Baku. Corporate management policy was designed to maximize field expertise in implementing the Cooperative Agreement's annual work plan objectives while providing steady, strong and secure guidance from Washington. IFES' management entrusts field managers with enormous responsibility as program implementers, yet strong and responsive guidance has been the IFES hallmark of responsible management from headquarters. There has always been a strong partnership between the field office and IFES headquarters in both its programmatic and administrative aspects.

In selecting field staff, IFES identified managers for Azerbaijan with experience and skills in democracy and election administration. All IFES project managers developed interactive and respectful relationships with USAID democracy officers in the field, and this contributed greatly to implementation success.

The implementation and management of the Azerbaijan programs under the Cooperative Agreement was included under IFES' Europe and Eurasia Division (E&E), with direct, daily management included under the Caucasus Regional Programs for Azerbaijan, Georgia and Armenia. The IFES headquarters management team remained consistent throughout the Cooperative Agreement, 1998--2000. Both Phylis Greenfield, Senior Advisor/Caucasus, and Michael Svetlik, Program Officer/Caucasus, were experienced in living in the NIS and developing and administering democracy-building programs. Mrs. Greenfield traveled and worked extensively in Azerbaijan 1993-95. Mr. Svetlik had worked with the Department of State in Kyrgyzstan in 1997 as well as working with Ukraine and Moldova at IFES as well. Further, he served as the resident Program Representative when the initial Project Manager, Bill Damour left IFES service early in January 1999. The IFES home management team was rounded out by two Program Assistants, Chad Vickery and Sonia Pastuhov-Pastein. As a unit within the E&E Division, the Caucasus team reported to E/E Division Director Scott Lansell. The E&E Division is under the Programs Department of IFES headed by Vice President Juliana Geran Pilon.

Through a combination of Azerbaijan experience, development and management of similar democracy development programs and proven track records of achieving measurable results, IFES brought together a combination of talented individuals integrated as a cohesive team.

Field office management benefited from the leadership, in particular of Alan Wall, a professional election administrator from Australia, who worked in country from March 1999 – March 2000. The complete Azerbaijan field teams follow:

August – January 1998

Project Manager William Damour
Project Assistant Farida Babayeva
Office Manager Shahla Mahmudova
Logistics Coordinator Eldar Babayev

March 1999 – March 2000

Project Manager Alan Wall
Project Assistant Farida Babayeva
Office Manager Shahla Mahmudova
Project Assistant Afig Jahangirov
Logistics Coordinator Eldar Babayev

April 2000 – September 2000

Project Manager Alan Wall (through March 2000)
Project Manager Trefor Owen (April – June 2000)
Civic Education Specialist Elsie Chang (became Acting Project Manager in June 2000)
Office Manager Shahla Mahmudova
Project Assistant Afig Jahangirov
Logistics Coordinator Eldar Babayev

VII. FUTURE PROGRAMMING NEEDS

IFES works to move the bar forward incrementally in democracy development, whether it is elections, civic education, rule of law, NGO development or other democracy-based sectors. IFES contributes to the larger, overall plan of USAID and American foreign policy for the country. Actions for the future could include:

National Civic Education Program

This long term, long range program would include segments including a comprehensive national training program of elected municipal officials and a continuous civic education program beginning in communities with local trainers and fostering not only understanding of citizen rights and responsibilities and fostering participation in all aspects of community life, but also citizen action groups to open up community discussions in other villages and towns and monitor local governance.

Voter Registration

Voter roles in Azerbaijan have never been revised. The lack of reform contributes significantly to election fraud with the sanctity of the citizens' vote remaining unprotected. Voter registration is an enormous and outstanding electoral reform problem in Azerbaijan.

Reform to Legislation

Work should continue to reform legislation and provide advice on international standards will contribute to improved election legislation, in spite of new presidential, municipal and parliamentary election legislation. These laws remain flawed and need amending to international standards.

Establishment of an Election Official Training Institution

This would include training to election officials at all levels, and would include the development of specialized curriculum. Further transference of skills in administering elections, focusing on grass roots development of expertise at the PEC and TEC levels, and administered by the CEC itself, once fully trained and functional.

Continuation of the IFES/CEC Technical Assistance Partnership

This would affect and continue to improved and reform electoral systems at all levels. IFES would implement a Memorandum of Understanding to reinforce the cooperative nature of the work and reinforce a seriousness of purpose.

VII. ATTACHMENTS

1. IFES Commentary on Draft Presidential Election Law.
May 1998
2. IFES Commentary on Draft Presidential Election Law.
June 1998
3. IFES Commentary on Draft Azerbaijan Local Government Election Law.
April 1999
4. IFES Comments on Draft Laws of Rules for Municipal Elections.
June 1999
5. Comparative Analysis of Four Draft Laws on the CEC.
2000
6. IFES Commentary on Draft Parliamentary Election Legislation.
May 2000
7. IFES Comments on the Democratic Congress's Draft Parliamentary Elections Law.
2000
8. IFES Comments on the Adopted Parliamentary Election Legislation.
August 2000
9. Notes on the Conduct of the 1999 Municipal Elections.
December 1999
10. The Official Central Election Commission Election Day Manual for the 1998
Presidential Election. (Azeri and English)
11. Election Day Guide for November 5, 2000 Milli Majlis Elections. (Azeri and
English)
12. IFES Brochure on Municipalities and Their Operations for December 12, 1999
Municipal Election. (Azeri, English translation attached)
(Produced in Collaboration with the Open Society Institute)
13. IFES Brochure on Voting Procedures for December 12, 1999 Municipal Election.
(Azeri)
(Produced in Collaboration with the Open Society Institute)
14. Public Opinion in Azerbaijan 1998.
Steven Wagner and QEV Analytics

15. IFES Series of Four Briefing Papers on Municipal Election and Municipal Governance Legislation.
1999
16. Commentary/Consolidated Written Comments on the Draft Laws "On Status of Municipalities" and "On Rules for Elections to Municipalities" to the Chair of the Parliamentary Committee on Local Government. (Azeri and English)
1999
17. IFES Technical Observation for the November 5, 2000 Parliamentary Election, Observation Handbook.
18. IFES/Azerbaijan Municipal Governance Civic Education Pilot Project Brochure. (Azeri)
19. IFES/Azerbaijan Voter Education Brochure for the November 5, 2000 Parliamentary Election. (Azeri)
20. Draft Presidential Election Law. (Translation)
21. CEC Law of the Republic of Azerbaijan. (Translation)
22. Laws on Municipal Services. (Translation)
23. Democratic Congress's Draft of Parliamentary Election Law. (Translation)
24. Draft Law on Political Parties. (Translation)
25. IFES Briefing Book for the 1998 Azerbaijan Presidential Election.

Other Attachments:

Samples of Posters, Banners, Display Ads, Giveaway Products (Azeri Language)

26. Poster for November 5, 2000 Milli Majlis Election "Five steps: Voter Procedures."
27. Banners for Press Advertisement for December 12, 1999 Municipal Election.
28. Display Ads for Press Advertisement for December 12, 1999 Municipal Election.
29. Stickers for December 12, 1999 Municipal Election.

- 30. Plastic Bags December 12, 1999 Municipal Election.
- 31. Coasters for December 12, 1999 Municipal Election.
- 32. Wallet Cards for December 12, 1999 Municipal Election. (Developed Jointly with The Open Society Institute)
- 33. Municipal Leaders US Training Tour 2000
Information Package (Russian, Azeri)

Video Attachments (Azeri Language)

34. Video One

IFES/Azerbaijan TV PSAs for December 12, 1999 Municipal Election.
Produced by IFES in Cooperation with Internews.

IFES/Azerbaijan and Internews Joint Series of Three 15-minutes Programs
"Person in the Street" Regional Interviews on December 12, 1999 Municipal Election.

35. Video Two

IFES/Azerbaijan TV PSAs for the November 5, 2000 Milli Majlis Elections

To obtain copies of the report attachments, please feel free to contact the F. Clifton White Resource Center:

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IFES

As one of the world's premier democracy and governance assistance organizations, IFES provides needs-based, targeted, technical assistance designed and implemented through effective partnerships with donors and beneficiaries. Founded in 1987 as a nonpartisan, nonprofit organization, IFES has provided integrated, collaborative solutions in the areas of democratic institution building and participatory governance in more than 120 countries worldwide. IFES' Washington headquarters houses eighty-five employees specializing regionally in Africa, the Americas, Asia, the Middle East, and Europe, as well as functionally in rule of law, civil society, good governance, election administration, applied research, gender issues, public information technology solutions, and more. IFES' staff offers vast country-specific experience and facility in more than 30 languages. IFES employs an additional 120 people in twenty-five field locations.



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