



Republic of Azerbaijan

REFERENDUM

18 March 2009

PROTOCOL

ON THE VOTING RESULTS

**OF CENTRAL ELECTION (REFERENDUM)
COMMISSION OF THE REPUBLIC OF AZERBAIJAN**

Baku – 2009

Central Election Commission of the Republic of Azerbaijan* has generalized all the information in the protocols of Constituency Elections Commissions (Con.ECs) on the voting results in popular vote (referendum) and **defined** the voting results on the republic:

Number of constituencies	<i>One hundred and twenty-five</i>	125
Number of the protocols submitted by the Con.ECs	<i>One hundred and twenty-five</i>	125
General number of election precincts	<i>Five thousand three hundred and sixty seven</i>	5 367
Number of the precincts where the voting results were considered invalid	<i>Zero</i>	0
Number of the precincts where the voting was invalid	<i>Zero</i>	0
Number of the constituencies where the voting results were considered invalid	<i>Zero</i>	0
1. General number of voters	<i>Four million nine hundred and seventeen thousand eight hundred and five</i>	4 917 805
<i>As well as:</i>		
a) number of the voters included in voters' lists	<i>Four million eight hundred and ninety one thousand eight hundred and thirty four</i>	4 891 834
b) number of the voters included in supplementary voters' lists	<i>Twenty five thousand nine hundred and seventy one</i>	25 971
2. Number of the voters who participated in the voting (who got ballot papers) **	<i>Three million four hundred and eighty three thousand one hundred and seventy three</i>	3 483 173
3. Number of the ballot papers in ballot boxes	<i>Three million four hundred and eighty two thousand seven hundred and fifty one</i>	3 482 751

* The phrase "election commissions" in the protocol shall be regarded as "referendum commissions".

** Voters' turnout: 70, 83 % [in percentage compared to the general number of voters (1)]

*** in percentage compared to the number of (3) ballot papers in ballot boxes.

4. Voting results on each part in accordance with the draft of referendum act put in popular vote:

#	Names of parts		Number of votes		
			In words	In figures	%**
1	The words "decent living conditions for the citizens of the Republic of Azerbaijan" shall be added to part I of Article 12 after the word "the liberties".	for	<i>Three million fifty nine thousand four hundred and forty nine</i>	3 059 449	87,84
		against	<i>Two hundred and thirty four thousand five hundred and ninety two</i>	234 592	6,74
		invalid	<i>One hundred and eighty eight thousand seven hundred and ten</i>	188 710	5,42
2	The words "socially oriented" shall be added to part II of Article 15 after the word "based on".	for	<i>Three million fifty one thousand three hundred and sixty seven</i>	3 051 367	87,61
		against	<i>Two hundred and thirty nine thousand four hundred and nineteen</i>	239 419	6,88
		invalid	<i>One hundred and ninety one thousand nine hundred and sixty five</i>	191 965	5,51
3	Article 17 shall be named "Family, Children, and the State", parts III, IV and VI in the following subject shall be added to the article: III. Children who do not have parents or guardians and are deprived of parental care are under the protection of the State. IV. It is prohibited to involve children in activities that may cause threat to their lives, health, and morality. V. Children under the age of 15 may not be employed for work. VI. The State implements children's rights.	for	<i>Three million sixty eight thousand seven hundred and seventy nine</i>	3 068 779	88,11
		against	<i>Two hundred and thirty one thousand four hundred and fifty seven</i>	231 457	6,65
		invalid	<i>One hundred and eighty two thousand five hundred and fifteen</i>	182 515	5,24
4	The words "(religious movements)" shall be added to part II of Article 18 after the word "religions".	for	<i>Three million forty one thousand four hundred and twelve</i>	3 041 412	87,33
		against	<i>Two hundred and forty four thousand seven hundred and seventy two</i>	244 772	7,03
		invalid	<i>One hundred and ninety six thousand five hundred and sixty seven</i>	196 567	5,64
5	The word "National" shall be substituted with the word "Central" in part II of Article 19. The word "National" shall be substituted with the word "Central" in item 15 of Article 95. The word "National" shall be substituted with the word "Central" in item 10 of Article 109, the following words shall be added to item:	for	<i>Three million forty nine thousand six hundred and seventy two</i>	3 049 672	87,56
		against	<i>Two hundred and forty two thousand and two</i>	242 002	6,95

	“Appoints the Chairman of the Central Bank of the Republic of Azerbaijan from the members of the Board of Directors of the Central Bank of the Republic of Azerbaijan.”.	invalid	<i>One hundred and ninety one thousand and seventy seven</i>	191 077	5,49
6	Parts IV and V on the following subjects shall be added to Article 25 “IV. No one may be harmed, granted allowances or privileges, or deprived from granting allowances and privileges on the basis of the grounds elaborated in Part III of this Article. V. Equal rights shall be provided for everyone in relationship to the state institutions making decisions on rights and responsibilities and those having the competencies of state authority.”.	for	<i>Three million fifty nine thousand four hundred and ninety two</i>	3 059 492	87,85
		against	<i>Two hundred and thirty six thousand six hundred and sixty nine</i>	236 669	6,79
		invalid	<i>One hundred and eighty six thousand five hundred and ninety</i>	186 590	5,36
7	The words “or public needs” shall be excluded from part IV of Article 29.	for	<i>Three million forty thousand five hundred and forty</i>	3 040 540	87,30
		against	<i>Two hundred and forty three thousand six hundred and eighty one</i>	243 681	7,00
		invalid	<i>One hundred and ninety eight thousand five hundred and thirty</i>	198 530	5,70
8	Article 32: The words “private life” shall be substituted with the words “private or family life” in the second sentence of item II and the following sentence shall be added to this part: “Everyone has the right to be protected from unlawful interference in his or her private and family life.”; The following sentence shall be added to part III: “No one may be subjected to being followed, videotaped or photographed, tape recorded or subjected to other similar actions without his or her consent save activities in cases prescribed by law.”; The following part V shall be added: “V. Everyone may become familiar with the materials collected in regards to him or her save in cases prescribed by law. Everyone has a right to demand correction or elimination of the information collected in regards to him or her, which does not correspond to the truth, is incomplete or collected through violation of the provisions of law.”.	for	<i>Three million sixty one thousand six hundred and fourteen</i>	3 061 614	87,91
		against	<i>Two hundred and thirty six thousand seven hundred and sixty one</i>	236 761	6,80
		invalid	<i>One hundred and eighty four thousand three hundred and seventy six</i>	184 376	5,29
9	Parts III and IV on the following subjects shall be added to Article 39: “III. No one may cause threat or damage to the environment and natural resources to the extent that it is higher than the limit prescribed by law. IV. The state guarantees the preservation of ecological balance and protection of the species of wild plants and animals determined by law.”.	for	<i>Three million fifty one thousand seven hundred and twenty seven</i>	3 051 727	87,62
		against	<i>Two hundred and thirty six thousand and thirty two</i>	236 032	6,78
		invalid	<i>One hundred and ninety four thousand nine hundred and ninety two</i>	194 992	5,60
10	Part V on the following subject shall be added to Article 48: “V. No one shall be forced to express (to demonstrate) his or her religious faith and belief, to execute religious rituals and participate in religious ceremonies.”.	for	<i>Three million forty eight thousand six hundred and ninety two</i>	3 048 692	87,54
		against	<i>Two hundred and forty thousand three hundred and one</i>	240 301	6,90

		invalid	<i>One hundred and ninety three thousand seven hundred and fifty eight</i>	193 758	5,56
11	Part III on the following subject shall be added to Article 50: "III. Everyone's right to refute or react to the information published in the media and violating his or her rights or damaging his or her reputation shall be guaranteed."	for	<i>Three million forty seven thousand two hundred and nine</i>	3 047 209	87,49
		against	<i>Two hundred and forty thousand three hundred and sixty six</i>	240 366	6,90
		invalid	<i>One hundred and ninety five thousand one hundred and seventy six</i>	195 176	5,61
12	Article 67: The words "the charged" in the title of Article shall be substituted with the words "the accused" and the words "has been charged" in the context of Article shall be substituted with the words "has been accused". The existing text of Article shall be part I, part II on the following subject shall be added to Article: "II. Every person accused of a criminal offence shall be heard before being sentenced."	for	<i>Three million forty nine thousand five hundred and thirty seven</i>	3 049 537	87,56
		against	<i>Two hundred and thirty nine thousand four hundred and four</i>	239 404	6,87
		invalid	<i>One hundred and ninety three thousand eight hundred and ten</i>	193 810	5,57
13	Article 71: The following sentence shall be added to part II: "Everyone's rights and freedoms are limited by the grounds provided for in this Constitution and laws, as well as by the rights and freedoms of others." Parts IX and X on the following subjects shall be added: "IX. Everyone may conduct actions not prohibited by law and no one may be forced to conduct actions not envisaged by law. X. The state institutions may function only on the basis of this Constitution, in the manner and within the boundaries prescribed by law."	for	<i>Three million fifty four thousand five hundred and sixty nine</i>	3 054 569	87,71
		against	<i>Two hundred and thirty seven thousand five hundred and twelve</i>	237 512	6,82
		invalid	<i>One hundred and ninety thousand six hundred and seventy</i>	190 670	5,47
14	The following sentence shall be added to part I of Article 72: "Duties may be imposed on everyone only by this Constitution or law."	for	<i>Three million fifty six thousand and sixty five</i>	3 056 065	87,75
		against	<i>Two hundred and thirty four thousand six hundred and fourteen</i>	234 614	6,74
		invalid	<i>One hundred and ninety two thousand and seventy two</i>	192 072	5,51
15	The existing text of Article 75 shall be part I, part II on the following subject shall be added to Article: "II. Expression of disrespect to the state symbols shall involve liability as determined by law."	for	<i>Three million seventy two thousand six hundred and ninety eight</i>	3 072 698	88,22
		against	<i>Two hundred and twenty four thousand one hundred and seventy seven</i>	224 177	6,44
		invalid	<i>One hundred and eighty five thousand eight hundred and seventy six</i>	185 876	5,34
16	The following sentence shall be added to part I of Article 84: "In case the conduct of elections to the Milli Majlis of the Republic of Azerbaijan may not be held due to military operations under a state of war, the term of office of the Milli Majlis of the Republic of Azerbaijan shall be extended until the end of military operations. The	for	<i>Three million one hundred and two thousand six hundred and sixty six</i>	3 102 666	89,09
		against	<i>Two hundred and eighteen thousand one hundred and eighty seven</i>	218 187	6,26

	decision of this matter shall be adopted by the Constitutional Court of the Republic of Azerbaijan on the basis of the application of the state body organizing elections (referendum).”.	invalid	<i>One hundred and sixty one thousand eight hundred and ninety eight</i>	161 898	4,65
17	Part IV on the following subject shall be added to Article 88: “IV. The assemblies of the sessions of the Milli Majlis of the Republic of Azerbaijan are open to the public. An assembly of the session of the Milli Majlis may be closed to the public upon the claim of 83 members of parliament or the proposal by the President of the Republic of Azerbaijan.”.	for	<i>Three million fifty four thousand six hundred and twenty three</i>	3 054 623	87,71
		against	<i>Two hundred and forty thousand and forty eight</i>	240 048	6,89
		invalid	<i>One hundred and eighty eight thousand and eighty</i>	188 080	5,40
18	The words “permanent and other” in Article 92 shall be substituted with the words “committees and”.	for	<i>Three million thirty six thousand five hundred and fifty two</i>	3 036 552	87,19
		against	<i>Two hundred and forty seven thousand five hundred and fifteen</i>	247 515	7,11
		invalid	<i>One hundred and ninety eight thousand six hundred and eighty four</i>	198 684	5,70
19	Item 20 on the following subject shall be added to part I of Article 95: “20. hearing of the municipality reports.”. Part IV on the following subject shall be added to Article 146: “IV. Municipalities submit reports to the Milli Majlis of the Republic of Azerbaijan in cases and in the manner prescribed by law.”.	for	<i>Three million forty four thousand five hundred and fifty two</i>	3 044 552	87,42
		against	<i>Two hundred and forty four thousand one hundred and twenty</i>	244 120	7,01
		invalid	<i>One hundred and ninety four thousand and seventy nine</i>	194 079	5,57
20	Article 96: The words “40 thousand citizens of the Republic of Azerbaijan enjoying suffrage” shall be added to Part I after the words “Supreme Court” and the words “of 40 thousand citizens of the Republic of Azerbaijan enjoying suffrage” shall be added to parts II and IV after the words “Supreme Court”. The word “body” in part III shall be substituted with the word “subject”. Items VI and VII on the following subjects shall be added: “VI. The manner in which 40 thousand citizens of the Republic of Azerbaijan enjoying suffrage exercise their right to initiate legislation shall be defined by law. VII. Draft laws and decisions shall be substantiated and the purposes for their adoption shall be indicated.”.	for	<i>Three million forty two thousand three hundred and three</i>	3 042 303	87,35
		against	<i>Two hundred and forty four thousand two hundred and forty nine</i>	244 249	7,01
		invalid	<i>One hundred and ninety six thousand one hundred and ninety nine</i>	196 199	5,64
21	Part V of Article 101 shall be edited as follows: “V. In case the conduct of the Presidential Election of the Republic of Azerbaijan is not held due to military operations under a state of war, the term of office of the President of the Republic of Azerbaijan shall be extended until the end of military operations. The decision on this matter shall be adopted by the Constitutional Court of the Republic of Azerbaijan on the basis of the application of the state body organizing elections (referendum).”.	for	<i>Three million one hundred and ninety five thousand seven hundred and ninety nine</i>	3 195 799	91,76
		against	<i>One hundred and sixty thousand and thirty two</i>	160 032	4,60
		invalid	<i>One hundred and twenty six thousand nine hundred an twenty</i>	126 920	3,64
22	The existing text of Article 108 shall be part I, part II on the following subject shall be added to Article:	for	<i>Three million sixty one thousand five hundred and ninety one</i>	3 061 591	87,91

	"II. Regulations for the material security of the person who was elected President of the Republic of Azerbaijan in the past shall be defined by a Constitutional law."	against	<i>Two hundred and thirty four thousand seven hundred and seventy six</i>	234 776	6,74
		invalid	<i>One hundred and eighty six thousand three hundred and eighty four</i>	186 384	5,35
23	Part I of Article 109: The words "Executive Apparatus" in item 13 shall be substituted with the word "Administration". The words "international intergovernmental" in item 17 shall be substitute with the words "intergovernmental and agreements envisaging regulations other than those prescribed by the laws of the Republic of Azerbaijan". The words "agreements envisaging regulations other than those prescribed by the laws of the Republic of Azerbaijan" shall be added after the word "intergovernmental" in item 4 of part I of Article 95.	for	<i>Three million fifty thousand five hundred and eleven</i>	3 050 511	87,59
		against	<i>Two hundred and thirty nine thousand nine hundred and ninety</i>	239 990	6,89
		invalid	<i>One hundred and ninety two thousand two hundred and fifty</i>	192 250	5,52
24	Part VII on the following subject shall be added Article 125: "VII. Court proceeding shall provide for the discovery of the truth."	for	<i>Three million forty seven thousand three hundred and forty five</i>	3 047 345	87,50
		against	<i>Two hundred and forty one thousand four hundred and thirty four</i>	241 434	6,93
		invalid	<i>One hundred and ninety three thousand nine hundred and seventy two</i>	193 972	5,57
25	The existing text of Article 129 shall be part I, parts II and III on the following subject shall be added to Article: "II. Failure to execute a court decisions entails liability prescribed by law. III. A court decision shall be grounded in law and evidence."	for	<i>Three million forty seven thousand four hundred and thirty three</i>	3 047 433	87,50
		against	<i>Two hundred and forty three thousand two hundred and ninety nine</i>	243 299	6,99
		invalid	<i>One hundred and ninety two thousand and nineteen</i>	192 019	5,51
26	The following sentence shall be added to part IX of Article 130: "The decisions of the Constitutional Court of the Republic of Azerbaijan shall be published."	for	<i>Three million fifty four thousand one hundred and forty three</i>	3 054 143	87,69
		against	<i>Two hundred and thirty six thousand four hundred and nine</i>	236 409	6,79
		invalid	<i>One hundred and ninety two thousand one hundred and ninety nine</i>	192 199	5,52
27	Part III on the following subject shall be added to Article 131: "III. The decisions of the Supreme Court of the Republic of Azerbaijan shall be published."	for	<i>Three million fifty thousand one hundred and fifteen</i>	3 050 115	87,58
		against	<i>Two hundred and thirty eight thousand one hundred and one</i>	238 101	6,84
		invalid	<i>One hundred and ninety four thousand five hundred and thirty five</i>	194 535	5,58
28	The existing text of Article 146 shall be part V, parts I, II and III on the following subject shall be added to Article: "I. Municipalities are independent to exercise their power; nevertheless it does not exclude their responsibility before the citizens residing in the territory of the municipality. Regulations and order for selection	for	<i>Three million thirty five thousand and forty seven</i>	3 035 047	87,15
		against	<i>Two hundred and fifty two thousand two hundred and sixty seven</i>	252 267	7,24

	of the municipality members, termination of their power, and regulation for early dissolution of municipalities shall be set forth by law. II. Independent execution by the municipalities of their powers may not damage the sovereignty of the Azerbaijani state. III. The state oversees the activities of municipalities.”.	invalid	<i>One hundred and ninety five thousand four hundred and thirty seven</i>	195 437	5,61
29	Part VIII on the following subject shall be added to Article 149: “VIII. Normative legal acts shall be published. No one may be forced to execute (to adhere to) a regulation that was not published and held liable for failing to execute (to adhere to) such regulation. An order for publication of regulations shall be set forth by a Constitutional law.”.	for	<i>Three million forty seven thousand four hundred and one</i>	3 047 401	87,50
		against	<i>Two hundred and thirty nine thousand eight hundred and fifty one</i>	239 851	6,89
		invalid	<i>One hundred and ninety five thousand four hundred and ninety nine</i>	195 499	5,61

Note: As more than the half of the voters participated in the voting voted for each of 29 parts of the issues put in popular vote by the Decision of the Milli Majlis of the Republic of Azerbaijan dated on 26 December 2008 on making amendments and changes to the Constitution of the Republic of Azerbaijan, Referendum Act shall be adopted pursuant to Article 138.4 of Election Code of the Republic of Azerbaijan.

Chairman of Central Election Commission

PANAHOV Mazahir Mahammad oghlu _____

Deputy Chairman of the Commission

GASIMOVA Svetlana Chingiz gizi _____

Secretary of the Commission

MAMMADOV Natig Seyfulla oghlu _____

Commissioners:

JAVADOV Fuad Musa oghlu _____

İBRAHİMOV Ramiz Hilal oğlu _____

KAZIMOVA Valida Faig gizi _____

ORUJOV Gabil Ahmad oghlu _____

HASANOV Tofiq Eldar oghlu _____

MAMMADOV İlham Sabir oghlu _____

NADIROV Nizami Huseyn oghlu _____

P.S.

TAGHIYEV Azer Jabir oghlu _____

JAFAROVA Tamam Shamammad gizi _____

ISMAYILOV Rovshan Rehim oghlu _____

GURBANOV Akif Yagub oghlu _____

GAHRAMANLI Almas Alisultan gizi _____

HUMBATLI Oktay Agheli oghlu _____

Protocol was compiled on March _____, 2009 at _____

Note on specific opinion of the Commission member with decisive right:

(surname, name and patronymic)

(signature)

Note:

Protocol shall be compiled and signed by the members of Central Election Commission with decisive rights. The member of Central Election Commission who does not agree with the protocol, fully or its separate parts, may attach his/her specific opinion to the protocol and the protocol should contain relevant note on this.
