

## DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 75 submitted to the Central Election Commission on September 10, 2024 in the Elections to the Milli Majlis on September 1, 2024

Regarding the Elections to the Milli Majlis on September 1, 2024, Mireli Nurlan Sabir registered candidates from Binagadi first Con.EC # 8 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 10, 2024, claiming that the law violations were committed in some polling stations on voting day and Decision # 36/95 of the Con.EC, dated 8 September, 2024 on refusal decision.

The appeal was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan (Election Code) and relevant opinion was provided on filing the appeal upon violating the rules for destination by a member of the Expert Group under CEC and considered at the Commission session.

In the application of M. M. Hajili, a registered candidate for deputy, who applied, on the voting day, the voting process and the procedure for counting votes in polling stations # 6, 7, 11, 12, 13, 14, 19, 20, 21, 22, 24, 28, 29, 30, 31, 33, 34, 35 and 36 of the Binagadi first Con.EC # 8 were not carried out in accordance with the requirements of the legislation and claimed that the requirements of the Election Code were violated during the formation of some precinct election commissions. The applicant added 16 documents and 1 electronic data carrier to the disputed polling stations. The candidate who submitted the application for an investigation was contacted, the possibility of participating in the investigation and the meeting, as well as his other rights, were explained to him, the applicant refused to participate in the investigation and the meeting of the Commission. In connection with the investigation of the appeal, the relevant documents were received by the constituency election commission, attached to the research materials and a re-investigation was conducted. It was determined by the investigation that all the features claimed by the applicant in relation to violations in the application were comprehensively, thoroughly and completely investigated by the constituency election commission in the time and in the manner stipulated by the law, and as a result, the application was approved by the decision of the constituency election commission # 36/95 dated September 8, 2024 was not provided because it was unreasonable. Thus, according to the explanations received from the observers representing

various political parties or registered on their own initiative, who recorded violations on the day of the election by the constituency election commission, and the acts drawn up by those observers, the alleged violations were not confirmed. It was determined that the voters freely expressed their will and took part in the voting, and that necessary conditions were created for all election subjects, including observers.

On the day of election, observers representing various political interests who observed the territory of the electoral district - 11 observers participated in polling station #6, 11 observers participated in polling station #7, 10 observers participated in polling station #11, 13 observers participated in polling station #12, 11 observers participated in polling station # 13, 12 observers participated in polling station #14, 11 observers participated in polling station # 19, 11 observers participated in polling station # 20 observer, 11 observers participated in polling station # 21, 13 observers participated in polling station #22, 11 observers participated in polling station #24, 11 observers participated in polling station # 28, 11 observers participated in polling station #29, 12 observers participated in polling station # 30, 11 observers participated in polling station #.31, 14 observers participated in polling station #33, 13 observers participated in polling station #34 , 12 observers participated in polling station # 35, 11 observers participated in polling station # 36, in the acts drawn up on election day, indicated that the voting process was legal and transparent, that the vote counting and the drawing up of protocols were carried out in accordance with the requirements of the Electoral Code, confirmed with their signatures that they received a copy of the protocol on the voting results without any obstacles.

Allegations that observer Eldar Nabizadeh was allowed to polling station #20 late, Javad Gafarov, observer at polling station #12, was removed from the polling station and later released to the polling station, were not confirmed during the investigation. It was determined that those observers observed the voting process and the procedure for counting votes from the beginning to the end. During the examination of the video images submitted by the applicant, no cases were found that reflected the violation of the electoral rights of citizens. In addition, during the investigation of the allegation that some of the members of the precinct election commissions for some precincts of the electoral district do not reside in the territory of the electoral district in the complainant's application, it was determined that the composition of the precinct election commissions of all precincts in that electoral district was organized in accordance with Article 36 of the Election Code.

Article 36.2 of the Election Code states that the candidacy of 2 members of the precinct election commission is carried out by the members of the commission representing the political party that has the majority in the Milli Majlis in the constituency election commission, and the candidacy of 2 members is by the commission that represents the political parties that are in the minority in the Milli Majlis in the constituency election commission by its members, and the candidacy of 2 members is submitted by the members representing Milli Majlis deputies who do not belong to any political party in the constituency election commission. Local organizations of the relevant political parties can propose candidates for the membership of the Precinct Election Commission to the members of the Constituency Election Commission who represent the parties in the Constituency Election Commission, and voters (initiative groups of voters) can also propose to the members of the Constituency Election Commission who represent the Milli Majlis deputies who do not belong to any political party.

Based on the above, it was determined that the constituency election commission reached the correct legal conclusion during the investigation regarding the complaint of the candidate M.M. Hajili.

Thus, due to the fact that there are no legal grounds for granting the application of the candidate M.M. Hajili, the application should not be granted, and the Decision #36/95 dated September 8, 2024 of the Constituency Election Commission should be kept unchanged.

According to Articles 19.4, 19.14, 28.2, 112, 112-1 of the Election Code the  
Central Election Commission **decides:**

1. The appeal # 75 dated September 10, 2024 submitted to the Central Election Commission of Hajili Mustafa Mustafa, a registered candidate for the Binagadi first Con.EC # 8 in the early elections to the Milli Majlis of the Republic of Azerbaijan held on September 1, 2024 and the candidate M.M. Hajili, the application should not be granted and Decision #36/95 dated September 10, 2024 of the Constituency Election Commission should be kept unchanged.

2. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Mikayil Rahimov

CEC Secretary Arifa Mukhtarova