

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 63 submitted to the Central Election Commission on September 8, 2024 in the early Elections to the Milli Majlis, appointed to September 1, 2024

Regarding the early Elections to the Milli Majlis on September 1, 2024, Mammadov Ilgar Eldar, registered candidate from Republican Alternative Party (Real) on Nasimi-Yasamal Con.EC # 22 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 11, 2024, claiming that the law violations were committed in some polling stations of that Con.EC, challenged the decision 19/50 dated September 6, 2024 of the constituency election commission and therefore requested to annul that decision, to consider election results invalid.

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.

The complainant was contacted regarding the investigation, participated in the investigation and meeting to do, as well as to have other rights explained, his and Fizuli Behghani, authorized representative of the Republican Alternative (Real) Party in the investigation, participation of the candidate in the Commission meeting was ensured.

Candidate I.E. Mammadov noted that on the day of voting obstacles were created to observers at polling stations , more than one ballot was thrown into the ballot boxes, voting even if a copy of the prepared protocols on the results is requested, they should be presented to them if it is not done, the precinct election commission chairpersons submit copies of the protocols that they left the precinct without doing so, members of the district election commission of the leading candidate that it affects the lower election commissions in favor and that there are other violations of law claiming that the results of voting at those polling stations are invalid making and invalidating elections by electoral district, as well as district election acceptance by the said election commission regarding the application with the same content to the commission requested the annulment of the decision. It is an electronic number to the application information carrier added, and in the course of the investigation, election No. 2 and 21 informed about the video footage of the station.

The constituency election commission based its decision on the fact that the voting day which is alleged to have happened in the polling stations of Nasimi-Yasamal electoral district # 22 the conduct of voting and the results before violations of the law have been confirmed allow voters to freely express their will during the determination no violations of the law were detected.

During the investigation the disputed decision of the constituency election commission the documents that were the basis for the removal were obtained and added to the research materials has been repeatedly investigated. From other candidates registered in connection with the investigation, election conducted various observations in the

disputed polling stations of the district explanations were received from observers representing candidates, commission members.

On voting day for the purpose of thorough and impartial examination of the application which is alleged to have happened in the polling stations of that electoral district on the social networks two numbers attached to the posted footage of the violations, as well as the appeal on the electronic data carrier, on the results of voting at polling stations the protocols were reviewed, the election documents received from the election subjects were studied, it was determined that on voting day of Nasimi- Yasamal constituency No. 22 head in other disputed polling stations, except polling stations no 2,14 and 20. From this point of view, although the commission came to the correct conclusion in its relevant decision, the said election did not come to the correct conclusion regarding the stations.

So, the images published on social networks and presented when viewing video materials, as well as received explanations and other selection as a result of the analysis of materials, votes in polling stations No. 2, 14 and 20 the law that may affect the election result in one way or another during the calculation violations were detected. Identified violations of the election legislation as a case that does not allow determining the will of the voters due to their requirements the results of the voting at the mentioned polling stations legal grounds have arisen to consider it invalid.

Therefore, the results of the elections voting in the precincts No. 2, 14, 20 of Nasimi – Yasamal Con.EC # 22 should be considered invalid.

Article 170.2 of the Election Code of the Republic of Azerbaijan states that the constituency election commission or the Central Election Commission for the following one-mandate constituencies invalidates elections in the following cases:

- 170.2.1. voting or voting results violations of the law committed in the electoral district during the determination of voters if it does not allow to determine its will;
- 170.2.2. results of voting during voting in single-mandate constituencies the number of invalid polling stations in that electoral district when it constitutes more than 2/5 of the total number of its stations or is canceled, it provided that the number of voters registered in those polling stations is for the electoral district make up more than 1/4 of the total number of registered voters.

As a result of the investigation, it was determined that the number of polling stations where voting results are considered invalid by electoral district No. 22 Nasimi – Yasamal more than 2/5 of the total number of polling stations in the electoral district, that and the number of voters registered in the polling stations was registered by electoral district not more than 1/4 of the total number of voters.

Thus, a registered candidate from Nasimi-Yasamal Con.EC # 22 I.E. Mammadov's appeal should be partially granted, 2, 14 and 20 of that electoral district the results of the polling stations should be considered invalid.

Pursuant to 19.4, 28.2, 112, 112-1 and 170 of Election Code of the Republic of Azerbaijan the Central Election Commission **decides**:

1. The appeal #64 dated September 8, 2024 of a candidate registered in Nasimi-Yasamal Con.EC # 22 in early elections to the Milli Majlis of the Republic of Azerbaijan held on September 1, 2024, Mammadov Ilgar Eldar was partially granted, the results of voting on polling stations No. 2, 14, 20 of the electoral district shall be considered invalid.

2. Cancellation of decision No. 19/50 dated September 6, 2024 in the part related to polling stations No. 2,14, 20 of Nasimi-Yasamal Con.EC # 22 shall be done, and the other parts should be kept unchanged.

3. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov