

DECISION

of Central Election Commission of the Republic of Azerbaijan
on consideration of the appeal # 81 submitted to the Central Election Commission dated
September 11, 2024 in the Elections to the Milli Majlis on September 1, 2024

Regarding the Elections to the Milli Majlis on September 1, 2024, Dadashov Rashad Rufig, registered candidate from Salyan –Bilasuvar-Neftchala Con.EC # 65 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 11, 2024 and challenged decision #26/65 of that Con.EC dated September 11, 2024, claiming that the law violations were committed in polling stations of that Con.EC, therefore requested to undertake relevant measures and to cancel the voting results for that Con.EC.

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 candidate was contacted and explained on his rights to participate in the meeting the research and his participation in the meeting of the Commission was ensured.

In his complaint R.R.Dadashov claimed that during the pre-election campaign, unequal conditions were created for candidates, violations of the law occurred during the pre-election campaign, the leading candidate attempted to bribe voters, administrative resources were used in his favor, public sector employees participated in his pre-election meetings, polling stations were improperly organized, observers were absent at polling stations on election day, obstacles were created for observers during monitoring, unauthorized persons interfered in the election process, multiple ballots were cast into ballot boxes, votes were counted outside the voting room without observer oversight, copies of protocols on voting results were not provided upon request, and precinct election commission chairs left polling stations without providing copies of the protocols. He also stated that the results announced during vote counting did not match the official results and cited other violations of the law. Based on these claims, he demanded the annul of the election results for the constituency, as well as the cancellation of the decision made by the district election commission regarding his similar application. He attached one electronic information carrier to his complaint.

The part of the complaint concerning the pre-election campaign was not investigated as it was submitted after the deadline for complaints established by the Election Code.

The claims regarding violations of the law were investigated by the Salyan-Bilasuvar-Neftchala Con.EC # 65. As a result of the investigation, the Commission in its decision dated September 7, 2024 # 26/65 regarded the complaint ungrounded and did not implement the request.

In the course of the investigation, the relevant documents were obtained from the Con.EC and added to the investigation materials, the case was re-investigated. It was established that R.R.Dadashov had submitted one DVD disk to the Con.EC regarding the alleged violations on Election Day at the polling stations of the Salyan-Bilasuvar-Neftchala Con.EC # 65. The investigation by the Con.EC revealed that although the

candidate claimed legal violations occurred at all polling stations in the constituency, the submitted DVD disk contained the views only from three polling stations.

A expert group under the Con.EC reviewed five videos allegedly depicting incidents at polling stations #2, # 34 and #36 that could have influenced voters' will were observed in the views.

During the investigation, explanations were obtained from election subjects related to the contested polling stations, including observers who independently monitored the voting process at the polling stations on Election Day and represented various political interests, as well as the PEC chairmen, secretaries, members and other registered candidates. It was concluded that no violations undermining the ability to determine voters' will on Election Day were justified through these statements or the video.

During the investigation at the Central Election Commission, a review was conducted with R.R. Dadashov's participation. This included 37 videos and 11 photographs attached to the complaint. It was determined that six of the videos and four of the photographs were related to the pre-election campaign stage, while the rest depicted scenes involving the candidate himself and his authorized representative during election day at various polling stations and their surroundings.

Five of the videos were previously reviewed by the Con.EC and no violations of the law were found out.

In regard with the videotape from the polling station # 14 containing the information about four invalid ballots during the vote-counting process, explanations from members of the PEC confirmed that in accordance with Article 106.4 of the Election Code, the commission discussed the validity of these ballots and a decision was made by vote to regard the ballots as valid and to include them in the respective candidates' results.

Other alleged violations depicted in the submitted videos were also not justified. As a result, the Con.EC reviewed the complaint in accordance with the procedure and timeframe provided by law and adopted a legally substantiated decision not to implement the complaint.

The other alleged violations presented in the complaint were not substantiated by the investigation and it was determined that the elections on Salyan-Bilasuvar-Neftchala Con.EC # 65 were conducted in accordance with the requirements of the legislation.

Based on the findings, there were no legal grounds to implement the complaint or overturning the decision Con.EC therefore, it was concluded that there were no legal justifications to verify R.R. Dadashov's complaint and the Con.EC #26/65 decision September 7, 2024 shall be

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

1. The appeal # 81 dated September 11, 2024 submitted to the Central Election Commission by Dadashov Rashad Rufig, registered candidate for the Salyan-Bilasuvar-Neftchala Con.EC # 65 in the early elections to the Milli Majlis of the Republic of Azerbaijan held on September 1, 2024 shall not be the implemented due to groundlessness and the Con.EC decision # 26/65 dated September 2024 shall be remained without being amended.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov