

DECISION

of Central Election Commission of the Republic of Azerbaijan
on consideration of the appeal # 86 submitted to the Central Election Commission on
September 12, 2024 in the Elections to the Milli Majlis on September 1, 2024

Regarding the Elections to the Milli Majlis on September 1, 2024, Azizov Aziz Fatehovich, registered candidate from Nasimi- Sabail Con.EC # 23 from applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 12, 2024 and challenged the Con.EC decision # 25/84 dated September 6, 2024 and requested to undertake relevant measures and requested to cancel that 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 connection with the investigation, the complainant was contacted, he was informed about his rights to participate in the investigation and meeting, as well as other rights.

In his appeal, candidate A.F.Azizov stated that the Con.EC did not properly investigate the alleged legal violations at several polling stations in the electoral constituency. He also claimed that the decision of the Con.EC, dated September 6, 2024, under protocol number 25/84, was not delivered to him within the legally prescribed timeframe. Based on these grounds, he requested the annulment of this decision. The candidate attached three copies of protocols (certified in accordance with the legal requirements) to the petition. 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 # 25/84 dated September 6, 2024 was not provided because it was ungrounded.

In connection with the investigation of the appeal, the relevant documents were obtained from the Con.EC and added to the investigation materials, followed by a re-examination. The investigation revealed that all the alleged violations mentioned by the petitioner in the petition were properly investigated by the district election commission in accordance with the procedures prescribed by law. As a result, the district election commission's decision dated September 6, 2024, under protocol number 25/84, determined that the appeal was groundless and therefore was not implemented.

As part of the investigation, the contested Constituency Election Commission protocols on the voting results on those polling stations were delivered to review.

A comparative analysis of the three protocol copies (certified in accordance with the legal requirements) submitted by the petitioner, along with the official protocols, and an investigation of the images posted on social media regarding the alleged violations at the polling stations of the electoral district on election day, as well as other materials presented in the case, revealed circumstances at polling station 17 that prevented the determination of the voters' will.

The other alleged violations presented in the complaint were not substantiated by the investigation. So, in connection of investigation by the Con EC #17, legal grounds were found out to regard the results as invalid.

Through the investigation, the claims on the contested decision of the Con.EC not to be delivered to candidate A.F. Azizova were not justified.

Thus, the appeal of candidate A.F.Azizova shall be implemented partly, the voting results on the polling station # 17 shall be regarded invalid, the Con.EC decision # 25/84 dated September 6, 2024 shall be annulled in the remaining part, canceled, in other parts it shall be remained without being amended.

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

1. The appeal # 86 dated September 12, 2024 submitted to the Central Election Commission by Azizov Aziz Fatehovich, registered candidate for the Nasimi-Sabayil Con.EC # 23 in the early elections to the Milli Majlis of the Republic of Azerbaijan on September 1, 2024 shall be partly implemented and the voting results on the polling station 17 shall be regarded invalid.
2. The decision # 25/84 of Nasimi- Sabayil Con.EC # 23 dated September 6, 2024 shall be annulled in the part related to the polling station # 17 and related to the other parts, it shall be remained without being amended.
3. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov

