

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 45 submitted to the Central Election Commission on February 10, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, Mahir Tamraz Gasimov, candidate registered for membership on the Kichik Dahne municipality of Shaki village Con.EC # 115 appealed to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission) on February 10, 2025, challenging the Decision # 9/16 dated February 1, 2025 of the Constituency Election Commission of that constituency, and requesting that appropriate measures be taken in this regard.

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 who applied for the investigation was contacted and explained his/her rights to participate in the investigation and meeting, as well as other rights. The candidate stated that he/she did not have additional documents and materials, and did not participate in the investigation and meeting of the Commission, although he/she was invited.

In his application, the registered candidate M.T. Gasimov claimed that after the voting process was completed in polling stations # 32, 34 and 35 of Sheki village electoral district # 115, violations of the law were committed in the counting of votes, and requested the cancellation of the voting results for those polling stations. The applicant attached 1 act, 1 video and 2 audio recording on 2 electronic data carriers to the application.

It was determined that the registered candidate M.T. Gasimov appealed to the Constituency Election Commission, claiming that violations of the law were committed on voting day at polling stations # 32, 34 and 35, including incorrect counting of votes, and demanded the cancellation of the voting results at the mentioned polling stations. The violations alleged in that appeal were investigated by the Constituency Election Commission, and by the Commission's decision # 9/16 dated February 1, 2025, the appeal was considered unfounded and was not satisfied.

Relevant documents were obtained from the Constituency Election Commission in connection with the investigation and added to the investigation materials and re-investigated.

During a full, comprehensive, objective investigation conducted by the Central Election Commission, the claim that votes were not counted at the polling station was not confirmed by the explanations provided by the chairman, members of the Constituency Election Commission of Sheki village Con.EC # 115 and the relevant election subjects

of the polling stations disputed by the candidate, as well as by observers who observed the voting process, vote counting and compilation of protocols at those polling stations on the voting day, other registered but not elected candidates, chairmen, secretaries and members of the polling station election commissions. The investigation concluded that the protocols on the voting results were compiled by the polling station election commissions in accordance with the procedure and within the time period stipulated by the Election Code and delivered to the Constituency Election Commission of Sheki Village Constituency # 115. During the examination of the submitted video and audio recordings, no violations of the law were observed at the polling station on election day.

In addition, the web camera footage installed at polling station # 34, the results of which were disputed, was reviewed, and no violations of the law were observed in the voting process and vote counting.

The investigation determined that the Shaki village Constituency Election Commission # 115 reached the correct legal conclusion with the disputed decision, considered the candidate's appeal regarding the alleged violations of the law that occurred on voting day in the manner and within the time period prescribed by law, and made a reasoned decision by correctly applying the norms of the Election Code.

Thus, the application of M.T. Gasimov, a registered candidate for membership in the Kichik Dahne municipality from Sheki village constituency # 115, shall not be implemented as it is ungrounded and the decision # 9/16 of the Constituency Election Commission of that constituency dated February 1, 2025 shall be remained without being amended.

Based on the above, in accordance with Articles 19.4, 28.2, 112, 112-1 of the Election Code the Central Election Commission **decides**:

1. The appeal # 45 dated February 10, 2025 of Mahir Tamraz Gasimov, candidate registered for membership on the Kichik Dahne municipality of Shaki village Con.EC # 115 in the Municipal elections held on January 29, 2025 shall not be implemented since it is ungrounded and the decision # 9/16 dated February 1, 2025 of the Constituency Election Commission 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