

## DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 34 submitted to the Central Election Commission on February 5, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, Faig Firidun Mammadov, Rafiq Hasan Huseynov and others, candidates registered for membership in Garalar municipality from Imishli Con.EC # 81 appealed in writing to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission), on February 5, 2025, challenging the Decision # 11/39 of the Constituency Election Commission dated February 3, 2025 and requesting that the results of the voting in polling stations # 38, 39, 40 and 41 of the Garalar municipality of the constituency be considered invalid and a decision be made on this matter.

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.

F.F. Mammadov, R.H. Huseynov and others, candidates registered for membership on Garalar municipality from Imishli Con.EC # 81 stated in their appeal that violations of the law were committed during the compilation of protocols on the results of voting at polling stations # 38, 39, 40 and 41, where elections were held for Garalar municipality and demanded that the results of voting at those polling stations be canceled. The applicants attached video and photo images from electronic data carriers of the contested polling stations to the appeal.

The candidates who applied for the investigation were contacted, explained their rights to participate in the investigation and meeting, as well as other rights, and ensured the participation of F.F. Mammadov, R.H. Huseynov and others in the investigation and the meeting of the Central Election Commission.

The complaint of the registered candidates F.F. Mammadov, R.H. Huseynov and others regarding the alleged violations was investigated by the Constituency Election Commission of Imishli Con.EC # 81, and the application was considered unfounded and not satisfied by the decision of the Constituency Election Commission # 11/39 dated February 3, 2025.

In connection with the investigation, relevant documents were obtained from the Constituency Election Commission and added to the procedural materials and were re-examined. The investigation of the application covered the initial procedural materials and other video and photo images submitted by the candidate.

During the extensive, complete, comprehensive, and objective investigation conducted by the Central Election Commission, the alleged violations of the law were not confirmed in the explanations provided by the relevant election subjects at the polling stations contested by the candidates, including observers who observed the voting

process at those polling stations on voting day, chairmen, secretaries, members of the polling station election commissions, and other registered candidates (not on the list of leaders for the municipality in question). During the investigation of the submitted video and photo images, no violations that would not allow determining the will of the voters were observed at the polling stations.

As part of the investigation, the protocols of the disputed precinct election commissions on the voting results were obtained from the Imishli Constituency Election Commission No. 81, added to the proceedings materials and examined. No discrepancies were found in the protocol of the Imishli Con.EC # 81 on the results of the elections in Garalar municipality and the protocols of the precinct election commissions # 38, 39, 40 and 41 on the voting results that would not allow determining the will of the voters.

In addition, a webcam was installed at polling station # 39, the results of which were disputed, in accordance with the "Decision of the Central Election Commission of the Republic of Azerbaijan on the installation of webcams at polling stations in the municipal elections scheduled for January 29, 2025" # 4/13 dated January 21, 2025. As part of the implementation, the webcam images were reviewed and no violations of the law were observed.

The proceedings conducted determined that the Constituency Election Commission of Imishli Constituency # 81 reached the correct legal conclusion with the current decision, considered the candidates' 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 adopted a reasoned decision by correctly applying the substantive and procedural legal norms.

Thus, the application of the registered candidates for membership in the Garalar municipality, F.F. Mammadov, R.H. Huseynov and others shall not be implemented since it is unfounded and the Decision # 11/39 of the Constituency Election Commission of Imishli Constituency # 81 dated February 3, 2025 should be maintained without change.

Based on the above, in accordance with Articles 19.4,19.14, 112, 112-1 of the Election Code the Central Election Commission **decides**:

1. The appeal # 34 dated February 5, 2025 of Mammadov Faig Firidun, Huseynov Rafiq Hasan and others, registered as members of Garalar municipality in Imishli Con.EC # 81 in the municipal elections held on January 29, 2025, shall not be implemented since it is ungrounded and the Decision # 11/39 dated February 3, 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