

## DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 23 submitted to the Central Election Commission on February 1, 2025 in the Municipal Elections held on January 29, 2025

Regarding the Municipal elections held on January 29, 2025, Alishova Jamila Ilham, registered candidate on Nasimi municipality of Nasimi - Sabayil Con.EC # 23 and her attorneys Amiraliyeva Fidan Rashad and Mursalli Zaur Farrukh applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on February 1, 2025, claiming that the law violations were committed in the polling stations of the foregoing Con.EC, therefore requested to investigate those violations and undertake relevant measures.

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 persons who applied for the investigation were contacted, their rights to participate in the investigation and the meeting, as well as other rights, were explained, and the participation of the registered candidate C.I. Alisheva in the investigation was ensured. In accordance with the candidate's request, he was represented at the Commission meeting by his attorney, Ismayil Gurban Taghiyev.

In their appeals, J.I. Alisheva and others disputed the results of the elections in 14 constituencies, claiming that the chairman of the Nasimi - Sabail Con.EC # 23 created bureaucratic obstacles for them, demanded unfounded documents for the registration of candidacies, created obstacles for them during the registration of observers and authorized persons, as well as during the observation of polling stations on election day, that one person voted in two polling stations on voting day, that more than one ballot was thrown into the ballot boxes, that voters were directed by people standing on the street and near the polling station before entering the polling station, that the ballots were taken to another room while the protocol was being drawn up after the votes were counted, and that there were other violations of the law. They claimed that the results of the elections in 14 constituencies were disputed and that the results of the elections in the polling stations where the Nasimi municipality elections were held in that constituency were considered invalid.

Although the appeal alleges that the chairman of the Constituency Election Commission created bureaucratic obstacles for the candidate, demanded unfounded documents for the registration of the candidacy, created obstacles for the registration of observers and authorized persons, as well as during the observation at the polling stations on election day, the investigation conducted did not reveal any violation of the requirements of the election legislation by the Constituency Election Commission of Nasimi-Sabail Con.EC # 23 during the nomination and registration of the candidacy, as well as during the registration of election subjects representing her interests. Thus, the registration of J.I. Alisheva as a candidate for Nasimi municipality, as well as the registration of observers

and authorized persons representing her interests without exception, should be considered as a circumstance indicating that the appeal is unfounded in that part.

Candidate J.I. Alisheva, who participated in the investigation, submitted one electronic information carrier regarding the alleged violations of the law that occurred at the polling stations of Nasimi-Sabail Con.EC # 23 on voting day, as well as certified copies of the protocols of the precinct election commissions on the results of voting at polling stations # 30 and 32.

The 14 video clips on the submitted electronic information carrier, as well as 4 additional video clips later submitted by I.G. Tagiyev, the attorney of J.I. Aliyeva, were reviewed in the presence of the candidate, and no circumstances were observed in those video clips that would not allow determining the will of the voters.

In connection with the investigation, the protocols on the voting results of the polling stations # 30 and 32, which were disputed, were requested from the Constituency Election Commission of Nasimi-Sabail Con.EC # 23 and added to the investigation materials. As a result of a comparative analysis of the protocols on the voting results of polling stations # 30 and 32 with the copies of the protocols submitted by the candidate, violations of the law were discovered during the compilation of the protocol on the voting results in polling station # 30 of that constituency, which could have affected the voting results in one way or another. Since the violations of the law identified in that polling station were assessed as circumstances that did not allow determining the will of the voters according to the requirements of the election legislation, legal grounds were created for considering the voting results of the mentioned polling station as invalid.

During the investigation, the chairmen and members of the election commissions whose voting results were disputed, as well as the relevant election subjects of those election precincts, including observers representing various political interests who observed the voting process in those election precincts on their own initiative, as well as other registered candidates who were not elected, did not confirm the occurrence of violations of the law that did not allow determining the will of the voters in other disputed election precincts on voting day, except for election precinct # 30. Therefore, no legal grounds have been created to satisfy the appeal in relation to other disputed election precincts, except for election precinct # 30, as well as other election precincts where elections were held in Nasimi municipality of Nasimi-Sabail Con.EC # 23.

Thus, based on the investigation conducted, the appeal # 23 of the registered candidate for Nasimi municipality membership from Nasimi-Sabail Con.EC # 23, Alisheva Jamila Ilham, her attorneys Amiraliyeva Fidan Rashad and Mursalli Zaur Farrukh dated February 1, 2025, should be partially granted, the results of the voting at polling station # 30 of that constituency should be considered invalid, and the other parts of the application should not be granted since it is unfounded.

Based on the above, in accordance with Articles 19.4, 19.14, 23.2, 28.2, 112, 112-1 of the Election Code the Central Election Commission **decides**:

1. The appeal # 23 made by Alisheva Jamila Ilham, a registered candidate for membership of Nasimi municipality from Nasimi-Sabail Con.EC # 23 in the municipal elections held on January 29, 2025, and her attorneys Amiraliyeva Fidan Rashad and Mursalli Zaur Farrukh, dated February 1, 2025, shall be partially implemented, the results of the voting at polling station # 30 of that constituency shall be considered invalid, and the other parts shall not be implemented as they are ungrounded.
2. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov