

## DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 83 submitted to the Central Election Commission on 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, Mahmudova Yasemen Taghi, registered candidates on Sumgayit first Con.EC # 42 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 7, 2024 and challenged decision #32/100, claiming that the law violations were committed in polling stations of that Con.EC, therefore requested to undertake relevant measures and requested to cancel the voting of the 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.

Registered candidate for deputy Y.T.Mahmudova who applied on the voting day claimed that there were total violations in Sumgayit first Con.EC #42, mass violations in all polling stations of Sumgayit first Con.EC were committed during the compilation of protocols on the voting results, a person was allowed to vote for voters whose names were not on the voter lists, a person was allowed to cast ballots into the boxes, the decision disputed was not justified and that the constituency election the commission did not ensure his participation in the meeting and therefore, requested to annul the voting results on those polling stations. The applicant attached acts on polling stations, electronic video and photo footage on the information carrier to the appeal.

The candidate who submitted the application for an investigation was contacted, the possibility of participating in the investigation and the meeting, as well as his other rights, were explained to him, the applicant refused to participate in the investigation and the meeting of the Commission.

In connection with the investigation of the appeal of candidate Y.T.Mahmudova, the relevant documents were received by the constituency election commission, attached to the investigation materials and re-investigation was conducted. During comprehensive, objective investigation held with the participation of the complainant Y.T.Mahmudova, the alleged legal violations claimed by the candidate regarding the disputed polling stations have not been confirmed in the statements provided by the relevant election entities, including the observers who monitored the voting process at those polling stations on the election day, the chairpersons, secretaries, and members of the precinct election commissions, and the explanations provided by other candidates who were registered.

Interviews expressing positive opinions from several election entities appointed by candidate Y.T. Mahmudova to various media outlets regarding the voting and vote counting process, the free and fair voting of voters and the absence of any legal violations during the elections, have also been added to the investigation materials. At

the same time, an advisory voting member appointed by the candidate signed a report stating that no legal violations were observed at the polling station where they monitored the voting process on Election Day.

The investigation regarding the alleged violations at the polling stations reveals that, except for polling station # 27 of Sumgait first Con.EC # 42, the alleged legal violations at the other disputed polling stations were not confirmed, and no circumstances were found that would hinder the determination of voters' will.

The investigation has determined that there are legal grounds for declaring the results of the voting at polling station No. 27 in the electoral district invalid. Therefore, the complaint of Mahmudova Yasaman Taghi shall be partially implemented, the results of the voting at polling station No. 27 shall be regarded invalid and the Con.EC decision # 32/100 dated September 7, 2024 shall be annulled in the part concerning polling station No. 27, while the remaining parts shall be remained without making amendments.

According to Articles 19.4, 19.14, 28.2, 112, 112-1 and 170 of the Election Code the Central Election Commission **decides:**

1. The appeal # 83 dated September 11, 2024 submitted to the Central Election Commission by Mahmudova Yasemen Taghi, registered candidate for the Sumgayit first Con.EC # 42 in the early Elections to the Milli Majlis of the Republic of Azerbaijan held on September 1, 2024, the application shall be partly implemented and the voting results on the polling station # 27 shall be considered invalid.
2. The decision # 32/100, dated September 7 of the Sumgait first Con.EC # 42 shall be annulled in the part concerning polling station No. 27, while the remaining parts shall be remained without making amendments.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Mikayil Rahimov

CEC Secretary

Arifa Mukhtarova