

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 39 submitted to the Central Election Commission on February 7, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, Hajiyev Fakhraddin Markaz, candidate registered for membership on Sarijali municipality from Fuzuli-Aghjabedi Con.EC # 85 appealed in writing to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission) on February 7, 2025, challenging the Decision # 8/19 of the Constituency Election Commission dated February 4, 2025 and requesting that the results of the voting in polling stations # 50, 53 and 58 of the Sarijali 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.M. Hajiyev, registered candidate for the Sarijali municipality from Fuzuli-Aghjabedi Con.EC # 85 claimed in his application that total fraud was observed on the day of voting at polling stations # 50, 53 and 58 of the Constituency Election Commission of that constituency, where the elections to the Sarijali municipality were held, that the requirements of the election law were clearly and grossly violated, and that the election was falsified as a result of the intervention of officials of the executive authorities.

The candidate who applied for the investigation was contacted, explained his rights to participate in the investigation and the meeting, as well as other rights, and ensured his participation in the investigation and the meeting of the Central Election Commission.

The complaint of the registered candidate F.M.Hajiyev regarding the alleged violations was investigated by the Constituency Election Commission of Constituency # 85, and the application was considered ungrounded and not implemented by the decision 8/19 of the Constituency Election Commission dated February 4, 2025.

Relevant documents were obtained from the Constituency Election Commission in connection with the investigation, added to the proceedings materials, and re-investigated. The investigation of the application covered the submitted proceedings materials.

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 for the polling stations disputed by the candidate, 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).

The proceedings conducted determined that the Constituency Election Commission of Fuzuli-Aghjabedi Constituency # 85 reached the correct legal conclusion with the current 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 adopted a reasoned decision by correctly applying substantive and procedural legal norms.

Thus, the application of F.M. Hajiyev, a registered candidate for membership in Sarijali municipality, shall not be implemented since it is ungrounded and the decision # 8/19 of the Fuzuli-Aghjabedi Constituency Election Commission # 85 dated February 4, 2025 shall be remained without being amended.

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 # 39 dated February 7, 2025 of Hajiyev Fakhraddin Markaz, candidate registered for membership on Sarijali municipality from Fuzuli-Aghjabedi Con.EC # 85 in the Municipal elections held on January 29, 2025 shall not be implemented as it is ungrounded and the decision # 8/19 of the Constituency Election Commission dated February 4, 2025 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