

## DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 80 submitted to the Central Election Commission on September 11, 2024 in the early Elections to the Milli Majlis, appointed to September 1, 2024

Muxtarli Galandar Shamil, registered candidate from Thartar-Aghdara-Goranboy Con.EC # 97 Tartar - Aghdara - Goranboy Con.EC # 97 regarding the early Elections to the Milli Majlis on September 1, 2024, applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on September 11, 2024, claiming that on the voting day the law violations were committed in some polling stations of that Con.EC, challenging the decision # 31/146 of that constituency dated September 9, 2024, therefore requested to annul that decision and to consider the results of election to be invalid.

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.

In connection with the investigation, the complainant was contacted, he was informed about his rights to participate in the investigation and meeting, as well as other rights. Although the applicant stated that he and his authorized representative would participate in the investigation, they did not come to the investigation. The complainant's participation in the Commission meeting was ensured.

In his application, drawn up on behalf of the appointed persons and members of the commission with consultative voting rights of the constituency, G.S. Mukhtarli, registered candidate for deputy who applied, observers were not to provided with conditions for watching the voting process, when voters entered the polling station the documents were not being checked, the fingers of the voters were not not marked with invisible ink, the voters living in the territories of other polling stations have voted, have put the ballot papers in the ballot box in polling stations # 2, # 30 and # 31 that the ballots were thrown away and that the votes in the polling stations were not counted correctly.

32 acts and one electronic data on the contested polling stations were attached to the applicant's application.

Regarding the alleged violations, the complaint of the candidate G.Sh.Mukhtarli was investigated by the District Election Commission of the Terter – Aghdere – Goranboy Con.EC # 97. As a result of the investigation, the complaint was found to be ungrounded and based on the decision # 31/146 dated September 9, 2024, which is currently contested by the candidate, was not implemented.

Relevant documents were obtained from the Con.EC and added to the investigation materials for further review. The investigation fully covered the materials submitted by the candidate G.Sh.Mukhtarli, as well as the documents received from the Con.EC.

During the full, comprehensive and objective investigation, the alleged electoral violations contested by the candidate were examined at the relevant polling stations. Explanations were obtained from the relevant election stakeholders, including observers who independently monitored the voting process on Election Day at those polling stations, as well as from observers representing various political interests, the heads, secretaries, and members of the polling station commissions, and other registered candidates. The alleged violations did not find confirmation in these statements.

At the same time, the members with consultative rights appointed by candidate G. Mukhtarli to various polling stations confirmed the reports stating with their signatures that no violations of the law occurred at the polling stations on Election Day.

89 video recordings submitted by the complainant were reviewed and it was determined that 69 of these recordings did not belong to the Terter – Agdara – Goranboy Con.EC # 97. No cases were observed that could influence voters' will in one way or another. In the recordings belonging to the Terter – Agdara – Goranboy Con.EC # 97.

The investigation found that the complaint of candidate G.Sh. Mukhtarli regarding alleged legal violations on the day of the election was examined by the Con.EC in accordance with the procedures and timeframes established by law and a reasoned decision was made, leading to the correct legal conclusion in compliance with the Election Code.

Therefore, since there are no legal grounds for granting the complaint of candidate G.Sh. Mukhtarli, the complaint should not be upheld, and the contested decision of the district election commission should be left unchanged.

Pursuant to Articles 19.4, 19.14, 112 and 112.1 of the Election Code of the Republic of Azerbaijan, the Central Election Commission of the Republic of Azerbaijan (CEC) **decides:**

1. Since the complaint dated September 11, 2024, with number 80, filed by Galandar Shamil Mukhtarli, registered candidate on the Terter – Agdara – Goranboy Con.EC # 97, regarding the early Parliamentary elections of the Republic of Azerbaijan held on September 1, 2024 is groundless, it shall not be implemented and the Con.EC decision # 31/146 dated September 9, 2024 shall be remained without making amendments.
2. The Decision shall be enforced upon its publication.

CEC Chairman	Mazahir Panahov
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CEC Secretary	Mikayil Rahimov
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CEC Secretary	Arifa Mukhtarova
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