

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 40 submitted to the Central Election Commission on February 8, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, candidates registered for membership on the Jalilabad municipality from Jalilabad constituency # 71 - Rustamov Rustam Sattarkhan, Abdullayev Ruhid Aladdin and Zeynalov Mehman Musakhan appealed in writing to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission) on February 8, 2025, disputing the inaction of the Constituency Election Commission of that constituency and its Decision # 07/30 dated February 3, 2025 and requesting that appropriate measures be taken in this regard.

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 candidates who applied for the investigation were contacted and explained their rights to participate in the investigation and meeting, as well as other rights. The candidates stated that they did not have additional documents and materials, and did not participate in the investigation and the meeting of the Commission, although they were invited.

The candidates registered for membership on the Jalilabad municipality from Jalilabad constituency # 71, R.S. Rustamov, R.A. Abdullayev and M.M. Zeynalov claimed in their appeal that the Constituency Election Commission had not properly considered their complaint and that their participation in the investigation and the meeting of the Commission had not been ensured, and considered the disputed decision of the Constituency Election Commission illegal.

It was determined that registered candidates R.S. Rustamov, R.A. Abdullayev and M.M. Zeynalov appealed to the Constituency Election Commission, claiming that violations of the law were committed during the voting and the compilation of protocols on the results of voting at polling stations # 3, 7, 9, 10, 11, 14 and 18, and demanded that the voting results be verified with their participation.

The violations alleged in that appeal were investigated by the Constituency Election Commission and the appeal was considered ungrounded and not implemented by the Commission's decision # 07/30 dated February 3, 2025.

Relevant documents were obtained from the Constituency Election Commission in connection with the investigation, added to the investigation materials and re-investigated. The investigation of the appeal covered the initial proceedings materials and video footage broadcast via webcams.

The claim that the applicants were not allowed to participate in the investigation and the commission meeting by the Constituency Election Commission was not confirmed by the explanations received from the chairman, secretaries, and members of the Constituency Election Commission, the acts and one video footage submitted to the investigation. It was established that candidates R.S. Rustamov, R.A. Abdullayev, and M.M. Zeynalov were invited to the investigation and the commission meeting and R.S. Rustamov participated in both the investigation and the commission meeting together with M.M. Zeynalov.

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, and members of the polling station election commissions, and other registered candidates (not on the list of leaders for the municipality in question).

In addition, in polling stations # 3, 9 and 11, the results of which were disputed, a webcam was installed in accordance with the Resolution # 4/13 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" dated January 21, 2025.

As part of the proceedings, the images of the webcams were reviewed for all three polling stations and no violations of the law were observed.

The investigation determined that the Jalilabad Con.EC # 71 reached the correct legal conclusion with the disputed 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 norms of the Election Code.

Thus, the application of registered candidates for membership in the Jalilabad municipality R.S. Rustamov, R.A. Abdullayev and M.M. Zeynalov should not be granted since it is unfounded and the decision # 07/30 of the Jalilabad city constituency No. 71 Constituency Election Commission 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 # 40 dated February 8, 2025 by Rustamov Rustam Sattarkhan, Abdullayev Ruhid Aladdin and Zeynalov Mehman Musakhan, registered candidates for membership of Jalilabad municipality of Jalilabad Con.EC # 71 in the Municipal elections held on January 29, 2025 shall not be implemented as it is ungrounded and the decision # 07/30 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