

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 15 submitted to the Central Election Commission on January 31, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, Abiyev Babakhan Mahammad, a candidate registered for membership in the Uchoglan municipality from Aghdam village Con.EC # 119, appealed to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission) by telegram on January 31, 2025, disputing the illegal election of another candidate registered for membership in the same municipality, Aliyev Asif Akif, as a municipal member from the aforementioned municipality, despite the fact that he lived in another settlement, and requested the cancellation of the voting results in polling stations # 13, 15, 16 and 43 of the constituency.

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 candidate who applied for the investigation was contacted and explained his rights to participate in the investigation and the meeting, as well as other rights. He refused to participate in the investigation and the meeting of the Commission. Candidate B.M. Abiyev did not submit any materials to the investigation on the polling stations he disputed.

It was determined that the registered candidate A.A. Aliyev, whose election was disputed, permanently resides in the territory of Aghdam village Con.EC # 119 and his candidacy was nominated and registered in accordance with Articles 53 and 212 of the Election Code.

According to Article 212 of the Election Code, citizens of the Republic of Azerbaijan who have the right to participate in elections and permanently reside in the relevant electoral district may be elected members of municipalities. Article 210.1 of the same Code states that members of municipalities exercising local self-government in the Republic of Azerbaijan are elected in multi-mandate electoral districts on the basis of the proportional majority system.

During a full, comprehensive, and objective investigation conducted by the Central Election Commission, the violations alleged in the appeal were not confirmed by the explanations provided by the relevant election subjects at the polling stations contested by the candidate, including observers who observed the voting process, vote counting, and protocol compilation at those polling stations on voting day, other registered but not elected candidates, and chairmen, secretaries, and members of the polling station election commissions.

The investigation concluded that all election actions on voting day at the polling stations whose results were contested were carried out within the time period and in the manner prescribed by the Election Code.

Thus, since the investigation did not confirm the violations of the law alleged by candidate B.M. Abiyev in his application, no legal grounds were established for granting the application. Thus, the application should not be granted as it is groundless.

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 # 15 dated January 31, 2025 of Abiyev Babakhan Mahammad, a candidate registered for membership in Uchoglan municipality from Aghdam village Con.EC # 119 in the municipal elections held on January 29, 2025, shall not be implemented as it is ungrounded.
2. The decision shall be enforced upon its publication

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov