

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 49 submitted to the Central Election Commission on February 12, 2025 in the Municipal Elections held on January 29, 2025

In the municipal elections held on January 29, 2025, candidates registered for membership in the Mushvigabad municipality from Sumgayit-Absheron-Garadagh constituency # 47 - Mammadov Samir Adil, Garayev Babek Matlab, Mammadov Tural Muzaffar, Alekperov Rahim Rafiq and Nazarli Rashad Zaman, appealed in writing to the Central Election Commission of the Republic of Azerbaijan (hereinafter referred to as the Central Election Commission) on February 12, 2025, challenging the establishment of polling stations # 47 and 48 within the boundaries of that constituency, where elections to the Mushvigabad municipality were held, and the decision # 9/23 of the Constituency Election Commission dated February 6, 2025, requesting that decision be canceled and appropriate measures be taken.

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 the meeting, as well as other rights. The registered candidates S.A. Mammadov, B.M. Garayev and T.M. Mammadov were provided with the participation in the investigation and the meeting of the Commission.

The registered candidates stated in their application that they were unaware of the establishment and location of polling stations # 47 and 48, where elections were held to the Mushvigabad municipality from the Sumgayit-Absheron-Garadagh constituency, and considered this a violation of their rights, and therefore demanded that the votes in those polling stations of the constituency be considered invalid and the voting results be canceled. A CD-R disk was attached to the application.

Relevant documents were obtained from the Constituency Election Commission in connection with the investigation and added to the investigation materials and re-examined.

The 2 video clips on a CD-R attached to the application were reviewed together with the candidates participating in the investigation, and no violations of the law were observed in those video clips, which were allegedly recorded on January 29, 2025, at the Constituency Election Commission. Thus, those video clips were recorded in order to demonstrate the fact that there was no relevant information on the election precincts established at least 5 days before voting day in accordance with Article 35.5 of the Election Code.

The investigation determined that polling stations # 47 and 48 in the constituency were established in accordance with the requirements of Article 35.5 of the Election Code by

the decision # 2/8 of the 47th Sumgayit-Absheron-Garadagh Constituency Election Commission dated January 4, 2025, and the decision of the Constituency Election Commission was published and made public in accordance with the relevant procedure. The publicization of the decision on the establishment of those polling stations was also confirmed by the explanations of other candidates who were registered for membership in the Mushvigabad municipality but were not elected.

It is also determined by the explanations of the chairman, secretaries and members of the Constituency Election Commission that on the eve of voting day, along with other election documents, the mentioned decision of the Constituency Election Commission on the establishment of the disputed polling stations was also removed from the information board.

Thus, since the Constituency Election Commission of Sumgayit-Absheron-Garadagh Constituency # 47 came to the correct conclusion regarding not implementing the appeal of candidates S.A. Mammadov and others, there are no legal grounds for annulling the results of the voting in polling stations # 47 and 48 and the decision No. 9/23 of the Constituency Election Commission dated February 6, 2025.

Thus, the appeal # 49 of candidates S.A. Mammadov and others, dated February 12, 2025, submitted to the Central Election Commission shall not be implemented and the disputed decision of the Constituency Election Commission shall be remained unchanged.

Based on the above, in accordance with Articles 19.4, 19.14, 28.2, 35.5, 112 and 112-1 of the Election Code the Central Election Commission **decides**:

1. The appeal # 49 dated February 12, 2025, submitted to the Central Election Commission by the candidates registered for membership in the Mushvigabad municipality from Sumgayit-Absheron-Garadagh constituency # 47, Mammadov Samir Adil, Garayev Babek Matlab, Mammadov Tural Muzaffar, Alekperov Rahim Rafiq and Nazarli Rashad Zaman, registered as candidates for membership in the Mushvigabad municipality from Sumgayit-Absheron-Garadagh constituency # 47 shall not be implemented as it is ungrounded and the decision # 9/23 of the Constituency Election Commission dated February 6, 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