



Physical, psychological and political pressure put on independent observers, candidates, their representatives and journalists since the 9 February early Parliamentary Elections

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EMDS notes with regret that observers faced various cases of pressure during the voting and counting processes across the country on the Election Day. Currently, individual complaints are on their way to be submitted to the Central Election Commission. Overall, 12 such cases have been submitted. Information on those cases:

- In the 38th polling station of the 82nd Agjabadi Constituency Election Commission (ConEC hereinafter), Mirzeyev Mirbaba Natig, the observer of the candidate Akram Amrahli protested the ballot stuffing by unknown men. Then, he was beaten by the same unknown men in front of the eyes of the members of the precinct election commission (PEC hereinafter).
- Adham Lachinov, observer in the 22nd polling station of the 22nd Nasimi second ConEC, faced physical violence by the members of the PEC and other observers. The moments of violence are captured by a video
- Anar Malikov, observer in the 5<sup>th</sup> polling station of the 67<sup>th</sup> ConEC says he was taken to the police station. According to Malikov, the electricity went off during the counting process and when it came back the observers were forcefully kicked out of the polling station. Observer went to the ConEC to complain on the incident, however the head of the ConEC called in the police and he was taken to the police station. He was later released around 9-10 pm.

Pressure put on representatives of the candidates and journalists:

- In the 11th polling station of the 76th Lankaran-Astara ConEC, Abulfat Baxishbeyli, the representative of the Khalid Bagirov with consultative voting right, faced pressure from other observers while the head of the PEC Ali Aliyev and employees of the Sapnakaran village executive body were present. Abulfat was beaten by 5-6 people who slapped and dragged him on the floor. The journalist recording the incident on live stream, Elmeddin Shamilzade was also beaten and has filed a complaint to the 102-hotline service of the Ministry of Internal Affairs and Lankaran police department.
- Around 14:30, in the 30th polling station of the 76th Lankaran-Astara ConEC, Kamran Mammadli, the representative of the Khalid Bagirov with consultative voting right, was slapped in face twice by the head of the PEC, Ramiz Aliyev, while was shooting a video with his phone. Other members of the PEC were ordered to take the cell phone of the observer by Ramiz Aliyev
- In 16th polling station of the 76th Lankaran-Astara ConEC, around 14:40, Jala Bayramova, the representative of the Khalid Bagirov with consultative voting right, was attacked by a person called Azade who was not registered in the given polling station.

She grabbed the observer by her hair and neck and knocked her down, scratched her face and attempted to take her phone.

- Around 16:00-16:30, the observer of the Fikrat Jafarli, wanted to check the ID of the voters to see the permanent residence address, in 8th polling station of the 32nd Surakhani ConEC. The head of the PEC, Natig Ahmadov, prevented the observer from doing that, blamed him for disrupting the electoral process and called in the police. The observer asked the police to issue an ‘act’, in an established order, claiming the observer breached the law and is to be expelled, however, abusing his authorities, police forcefully kicked the observer out of the polling station.
- Around 19:30-20:00, the head of the 14<sup>th</sup> PEC of the 9<sup>th</sup> Binagadi second ConEC, Mesud Babayev, called in 4 people in plain clothes during the counting process which violated the provisions of the Election Code. Those people in plain clothes attacked the journalist Ali Safarli who was recording the process and violently kicked him out of the polling station. They later approached the candidate Ulvi Hasanli and dragged and pushed him outside as well.
- At 16:30, in the 1th polling station of the 23rd Nasimi-Sabail ConEC, journalist Zarifa Novruz faced physical violence by the head of the PEC by putting the pressure on the arm of the journalist.

#### Pressure after the Election Day:

- Candidates – Ruslan Izzetli and Ahad Mammadli – holding a press conference in front of the 33<sup>rd</sup> Khatai first ConEC on 11 February afternoon time were forced to enter the police car and were taken to the 34<sup>th</sup> police station. Candidates were later released.
- On 11 February at 16:30, Rabiyya Mammadova – candidate from the 8<sup>th</sup> Binagadi first ConEC -, Elman Guliyev – candidate of the Musavat Party from 12<sup>th</sup> Garadagh-Binagadi-Yasamal ConEC –, civil society activist Vafa Naghi and others started their peaceful protest in front of the Central Election Commission demanding the fair investigation of the cases of violation of law during the Election Day and complaints. The protest was violently dispersed by police officers both in uniforms and plain clothes at 20:30. Though the participants Rabiyya Mammadova and Arzulla Buludlu – head of the Surakhani branch of the Musavat party – got head injuries, they were denied a medical treatment and were taken to unknown direction after being forced to get on the bus. After one hour, an ambulance was called for Arzulla Buludlu who was severely injured and was about to lose consciousness. However, police treated the relatives of him, and journalists violently and forcefully moved them away at the urgent medical aid station. During the incident, journalists Sevinj Abbasova, Aytac Tapdig, Aynur Elgunesh, Khadija Ismayil, Khayal Aghayeva and Mustafa Hajibeyli got various bodily injuries.
- Journalist Sevinj Abbasova asked for her injured arm to be X-rayed in the hospital. However, the doctor told her that it is just a bruise and the statement reflecting the doctor comment could only be given to her tomorrow without providing reasonable ground
- Candidate Rabiyya Mammadova found out that her left arm is broken during the examination through the X-ray. However, without providing any explanation, doctors denied her medical treatment and the statement proving she asked for it. Afterwards, Rabiyya Mammadova went through the X-ray examination in ‘Scientific Research Institute of Traumatology & Orthopedics’ and the broken arm was re-confirmed. Following this, two police officers in plain clothes broke into the room, threatened Rabiyya with death and tore the statement the doctor was writing for her. The same police officers and 3 other police officers in plain clothes insulted and forced Rabiyya and others accompanying her – Vafa Naghiyeva, Zumrud Abiyeva, Aysel Jafarova, Gulnara Mehdiyeva – to leave the facility.

- Gorkhmaz Ibrahimli, candidate from the 10th Binagadi third ConEC, filed complaints both to the ConEC and Central Election Commission on the irregularities happened during the Election Day in the polling stations of the 10<sup>th</sup> ConEC. Moreover, the photo , video and posts were uploaded by him to the social media platforms indicating the irregularities. After these complaints and posts, Aydin Safiyev, the authorized representative of the Ibrahimli, was reported to the police by the 10<sup>th</sup> ConEC. According to the complaint, Aydin Safiyev allegedly stole the ballot papers during the Election Day in the 14<sup>th</sup> polling station. However, contrary to the groundless claim, Aydin Safiyev noticed the pre-marked ballot papers in the polling station and informed the public.

According to the information received by the EMDS, the Central Election Commission demands the originals but not the copies of the ‘acts’ as ground to the claims while accepting the complaints which creates additional obstacles for the candidates. Because, submitting the original of the documents may lead to serious issues for the exhaustion of possible other legal protection methods. Especially, if the candidates submit the originals of the documents to the CEC or mail office for the CEC and the documents get lost in the stationary office of the CEC it automatically denies the any second chance for the candidates to file a complaint again without any supporting ‘act’. This has been stated by the European Court of Human Rights too, where it repeatedly noted that local authorities must ask for the copy but not for the original of the documents since the copy or the originals of the documents do not matter in essence in the investigation of the cases. EMDS believes that this step by the CEC will be another blow on the effective investigation of the election complaints.

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