



## On the Results of the Snap Parliamentary Elections on September 1, 2024

### I. SUMMARY

EPDE monitored the snap parliamentary elections scheduled for September 1, 2024, in a long-term manner, including the nomination of candidates, pre-election campaigning, voting on election day, and the counting of votes.

The monitoring of the snap parliamentary elections scheduled for September 1, 2024, is based on observations conducted by EPDE experts, including official reports and documents, open sources, and information collected from candidates and registered and unregistered observers.

EPDE's overall assessment of the pre-election and election period indicates that the snap parliamentary elections held on September 1, 2024, were marked by a lack of a favorable democratic political environment and genuine political competition, failing to meet the requirements of national legislation and international standards for free and fair elections.

EPDE, declaring the pre-election environment for early parliamentary elections on September 1, 2024 undemocratic, calls on the Azerbaijani authorities to demonstrate political will to resolve the existing political crisis and hold free and fair elections.

EPDE believes that the snap parliamentary elections on September 1, 2024 have failed to overcome the observed political stagnation in the country and have deepened citizens' mistrust in the state. EPDE calls on the Azerbaijani government to release activists and journalists imprisoned on political grounds, remove obstacles to the activities of political parties, civil society organizations and independent media, and reform the electoral code and election practices based on the recommendations of the Council of Europe's Venice Commission and the OSCE's Office for Democratic Institutions and Human Rights.

EPDE believes that setting the date for the snap parliamentary elections to September 1, 2024, three months in advance has made it difficult for all interested parties—including political parties and candidates—as well as civil society organizations and international election observation bodies to actively participate in and engage with the electoral process.

EPDE notes that although the snap parliamentary elections on September 1, 2024, coincide six months after the latest presidential election, the Azerbaijani authorities have not demonstrated political will to study and implement previous recommendations from local and international observers, including those from the OSCE Office for Democratic Institutions and Human Rights, regarding improvements in electoral legislation, election practices, and the investigation of election complaints.

EPDE regrets to report that in the lead-up to the snap parliamentary elections on September 1, 2024, the crisis in defending political freedoms in the country has deepened further. Restrictions on freedom of expression, assembly, and association have not been lifted; on the contrary, the number of politically motivated arrests has increased. There have been growing bans on the activities of independent civil society organizations and independent media, as well as increased harassment against journalists and public activists.

In particular, Anar Mammadli, the head of the country's largest election monitoring organization, who actively participated in the February 7, 2024, presidential elections and provided the public with alternative reports and information, was arrested. Prior to this, Abzas Media, which covered the elections, as well as Toplum TV employees (on March 6, 2024) and Imran Aliyev, the head of Majlis.info, were arrested on fabricated charges.

One day before the election, Fariz Namazli, an attorney specializing in the defense of political prisoners, was apprehended by employees of the State Security Service while at a café and taken to the Service's premises<sup>1</sup>. He was informed that he, along with several other unnamed attorneys, was being questioned as witnesses in some criminal case. After being held for over three hours, Fariz Namazli was released, but he may face the risk of arrest in the near future.

More than 30 civil society activists (human rights defenders, journalists, public figures) have been forced to leave the country. Additionally, exit bans have been imposed on several activists. They have been subjected to various pressures and coerced into cooperating with investigations.

Unlike the last snap parliamentary elections held in 2020, political parties and independent candidates have not shown significant activity in the current elections. Nearly none of the independent candidates who participated in previous elections have joined this election marathon. The largest party in the country, the Azerbaijan Popular Front Party (APFP), has boycotted the elections. The Musavat Party decided to participate with only a few representatives and did not put forward any of its leaders as candidates. Leaders of the Umid Party, Azerbaijan Democratic Party (ADP), Citizens' Solidarity Party, and the Unity Party have expressed their unwillingness to

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<sup>1</sup> <https://www.azadliq.org/a/fariz-namazli-dtx-ifade/33101446.html>

participate in the elections. Instead, the party has joined the elections with other candidates.

There has been no democratic environment conducive to active participation by civil society organizations and political parties in the September 1 snap parliamentary elections. The level of activity observed in the last parliamentary elections held in February 2020 has not been replicated. While there were 1,637 candidates<sup>2</sup> registered during that period, only 900 candidates were registered for the September 1, 2024 elections.

During that period, a significant number of independent groups that participated as candidates and observers faced pressures and were thus uninterested in participating in this election. Consequently, the essential condition for a free and fair election—namely, a climate of political alternatives and pluralism—was not ensured.

The EPDE has noted typical shortcomings in the functioning of election commissions in the organization of the September 1, 2024 snap parliamentary elections. The Central Election Commission has not clarified allegations of inconsistencies in the preparation and verification of electoral lists. In some constituencies, restrictions were placed on observers' registration and independent activities during the election period. Despite the fact that some observers came under external pressure on Election Day, election commissions did not show initiatives to protect their rights. The EPDE observed significant deficiencies in the organization of polling stations and preparations for voting on Election Day. The usual problems in the voting and counting process were noted, including the participation of people who were not on the voter rolls, grouping of citizens brought to polling stations, and interference by local executives in the electoral process. Cases of multiple voting by a single person and violations of the secrecy of the vote were reported. In addition, during the elections, there was the facilitation of fraudulent participation by dozens of voters who were not registered in the polling station, through additional voter lists. On election day, there were also reports of pressure on observers and journalists at some polling stations. These pressures took place in the context of violations of transparency and openness in voting by members of election commissions.

Observers collaborating with EPDE have noted significant discrepancies between official figures and voter turnout indicators at some polling stations. These inconsistencies suggest that voter turnout figures may have been artificially inflated due to instances of multiple voting, ballot stuffing and falsification of results in the voting protocols.

EPDE considers it essential for the September 1, 2024, early parliamentary elections to contribute to overcoming the observed political stagnation in the country and fostering mutual political trust in citizen-state relations. To achieve this, it is

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<sup>2</sup> However, in the period until January 31, 312 of them withdrew their candidacy.

necessary to release activists and journalists imprisoned for political reasons, remove obstacles to the activities of political parties, civil society organizations, and independent media, and improve the Election Code and electoral practices based on the recommendations of the Venice Commission of the Council of Europe and the OSCE Office for Democratic Institutions and Human Rights.

## **II. CITIZEN ELECTION OBSERVATION**

Since 2012, EPDE has been supporting its founding member Election Monitoring and Democracy Studies Center (EMDS), a leading election observation group from Azerbaijan. Over the past more than two decades, the government of Azerbaijan has taken many steps to prevent citizen election observation.

EMDS was re-established by the founders of the Election Monitoring Center (EMC), which had its registration revoked on December 1, 2008. It is important to note that on May 14, 2008, the registration of EMC (Election Monitoring Center) was annulled by the Khatai District Court based on an unfounded claim by the Ministry of Justice of the Republic of Azerbaijan. Subsequently, EMDS continued the mission and objectives of EMC and applied for state registration with the Ministry of Justice in 2009. However, as the Ministry of Justice did not grant EMDS's application, legal action was taken. Since Azerbaijani judicial authorities did not fulfill the requests for state registration of both EMC and EMDS, applications were made to the European Court of Human Rights (ECHR). On December 2, 2021, the ECHR ruled on the EMC application, and on January 12, 2023, on the EMDS application, stating that the failure to register these organizations constituted a violation of Article 11 of the European Convention (freedom of assembly and association). Despite these rulings, the Azerbaijani Supreme Court has not taken the necessary legal measures to implement the ECHR's decisions or to grant state registration to EMDS.

Since 2001, EMDS (formerly EMC) has conducted monitoring of 17 elections in Azerbaijan. To date, EMDS has provided training to over 15,000 individuals and offered legal and technical assistance to more than 700 people in obtaining accreditation with election commissions.

It should be noted that due to unjustified reasons for not being registered with the Ministry of Justice, EMDS is unable to apply for accreditation with the CEC. In this regard, EMDS traditionally collaborates with independent observers who are registered with election commissions.

EMDS is also a member of several prominent networks and organizations, including the European Network of Election Monitoring Organizations (ENEMO), the Eastern Partnership Civil Society Forum, and the Global Network of Domestic Election Monitors (GNDEM). EMDS operates based on the principles outlined in the

Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations<sup>3</sup>.

### III. PRE-ELECTION LEGAL AND POLITICAL ENVIRONMENT

#### a) Scheduling of the election

The ruling New Azerbaijan Party (NAP) proposed moving the election date forward by two months during a meeting of its Board of Directors on June 20, 2024. On June 21, the request from NAP members of parliament to dissolve the parliament was submitted to the National Assembly. The primary reason given for the necessity of holding the parliamentary elections earlier was that the election date would coincide with the COP29 summit. According to the Constitution, parliamentary elections were scheduled to be held in November 2024. However, COP29 will be taking place in Azerbaijan during that month.

It should be noted that the right to call snap elections was introduced into national legislation following the referendum held on September 26, 2016. The Venice Commission of the Council of Europe criticized the motives behind the amendments proposed in the referendum, noting the lack of clarity regarding the motivations for the changes, the absence of parliamentary involvement in the discussion of the referendum act, and the lack of regulations regarding the procedure for the implementation of constitutional amendments.

On June 21, 2024, a decision was made regarding the “Request for the Appointment of Snap Elections to the Milli Majlis of the Republic of Azerbaijan”<sup>4</sup> The President submitted this decision to the Constitutional Court to verify its constitutionality. On June 27, the Constitutional Court determined that the decision to dissolve the Milli Majlis and appoint snap elections was in accordance with the Constitution, based on Article 98 of the Constitution of the Republic of Azerbaijan.

On June 28, based on President Ilham Aliyev's decree, the Milli Majlis of the Republic of Azerbaijan was dissolved, and snap parliamentary elections were scheduled for September 1, 2024.

Local experts and opposition party leaders have concluded that this procedure does not comply with the Constitution and have not deemed the justification for calling

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<sup>3</sup> <https://gndem.org/declaration-of-global-principles/>

<sup>4</sup> <https://apa.az/daxili-siyaset/milli-meclis-novbedenkenar-parlament-seckilerinin-teyin-edilmesi-ucun-prezidente-muraciet-edib-yenilenib-850541>

snap elections legitimate<sup>5</sup>. It is worth noting that the Milli Majlis was previously dissolved on December 5, 2019, and snap elections were also scheduled.

## **b) Pre-election legal environment**

Since the last parliamentary elections held in 2020, neither the parliamentary authorities nor the central executive authorities have demonstrated the political will to advance legal initiatives for the improvement of the Election Code. On the contrary, new restrictive legal norms introduced into national legislation concerning media and political parties have negatively impacted not only freedom of expression and the right to associate but also the electoral process.

The "Media Law," which came into effect in February 2022, provides for the creation of a unified registry of media and journalists and introduces several new provisions regulating the activities of media organizations. Independent journalists have viewed this law as an attempt to control the free media in the country. The European Commission for Democracy through Law (Venice Commission) has stated that this normative act will create an additional "chilling effect" in Azerbaijan, where independent journalism and media already face a constrained environment.

The Venice Commission also stated that the law does not meet European standards concerning freedom of expression. As a result of this law's adoption, unlike in previous elections, not all journalists will be able to cover the snap presidential election. Only journalists registered in the media registry will have the opportunity to monitor the voting process on election day.

In January 2023, following the implementation of the new "Law on Political Parties," 29 out of 58 political parties operating in Azerbaijan ceased their activities within six months. Some parties have attributed this to the restrictive conditions imposed by the new law. Notably, the new law increased the membership requirement for party registration to 5,000 members. Additionally, if a registered party's membership falls below 4,500, its legal status can be revoked by court order. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Venice Commission of the Council of Europe, in their joint opinion on the Law on Political Parties, have expressed serious concerns about the new regulations. They argue that the new rules pose significant issues regarding the protection of the freedom of association as guaranteed by both international human rights documents and the national Constitution<sup>6</sup>.

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<sup>5</sup> <https://turaz.en/politics/dissolution-of-milli-majlis-unconstitutional-says-jamil-hasanli-781985>

<sup>6</sup> Joint opinion of the Venice Commission and the OSCE/ODIHR on the Law on political parties, [https://www.venice.coe.int/webforms/documents/?pdf=CDI-AD\(2023\)007-e](https://www.venice.coe.int/webforms/documents/?pdf=CDI-AD(2023)007-e)

## IV. SITUATION BEFORE ELECTION DAY

### a) Some facts from the Long-Term Observation:

According to the CEC's calendar, candidate nomination began on July 1 and continued until August 2. It should be noted that in connection with the snap parliamentary elections, the candidacy of 1,508 individuals was put forward. Of those, 1,462 candidates were confirmed, and 1,420 were issued signature sheets. Out of these, 1,197 candidates filled out and returned their signature sheets. Among them, 459 were representatives of 25 political parties, and 305 of these were registered.

In total, 900 candidates were registered. Among them, 305 were from political parties and 595 were independents.

According to EPDE experts, the registration of candidates was subject to restrictions, and members of political parties and independent candidates were put under pressure. The registrations of some candidates have been rejected on false grounds.

### b) Pre-election campaign

According to the Election Code, pre-election campaigning begins 23 days before the election day and lasts for a total of 22 days, ending 24 hours before the start of voting. For the snap parliamentary elections, pre-election campaigning started on August 9 and continued until 08:00 on August 31.

According to the law, pre-election campaigning can be conducted through mass media, organizing mass events (such as meetings and interactions with citizens, public discussions, conversations, etc.), issuing and distributing printed, audiovisual, and other promotional materials, and using other methods not prohibited by law<sup>7</sup>.

The Central Election Commission (CEC) announced that for the purpose of conducting pre-election campaigning, it allocated free airtime and publication space in the following media outlets to political parties and party blocs that registered candidates in more than 60 single-member constituencies across the country:

Public Television and Radio Broadcasting Company;

"Azərbaycan" newspaper;

"Xalq" newspaper;

"Respublika" newspaper;

"Bakinski raboçi" newspaper.

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<sup>7</sup> Election Code of the Republic of Azerbaijan, Article 74



According to Article 80.1 of the Election Code, presidential candidates, political parties, political party blocs that have registered candidates in more than 60 single-member constituencies or in more than half of the municipalities, and referendum campaign groups with 40,000 or more members have the right to obtain free airtime on television and radio channels specified in Article 77.2 of this Code for election campaigning.

However, in these elections, only the ruling New Azerbaijan Party (NAP) has registered more than 60 candidates. As a result, other political parties have not been able to exercise the right to free airtime.

### **c) Preparation of polling stations**

On election day, September 1, to ensure comprehensive observation of the processes at polling stations, 1,000 polling stations were equipped with upgraded and enhanced web cameras featuring high-resolution visuals. Internet users, whether inside or outside the country, would be able to view all processes—voting, vote counting, and result determination—without any registration requirements by accessing the official website of the Central Election Commission<sup>8</sup>.

Starting from August 15, the printing of election ballots began, and by the decision of the Commission, 6,516,567 (six million five hundred sixteen thousand five hundred sixty-seven) election ballots were printed.<sup>9</sup>

## **V. OBSERVATION ON ELECTION DAY**

### **a) Organization and opening of polling stations**

Before the start of voting, EPDE experts received reports on minor issues during the organization and opening of polling stations. For instance, some polling stations did not display their empty status before being sealed. Additionally, at some polling stations, the number of registered voters and election ballots was not announced. In some observed polling stations, the setup of the station was not conducive to effective observation.

During the voting process on September 1, 2024, observers noted typical violations in the voting process. These violations consisted of failure to follow legally prescribed election procedures and were carried out in an organized and targeted manner. As a result, these violations had a negative impact on the legitimacy of the electoral process and voting results.

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<sup>8</sup> <https://www.msk.gov.az/az/>

<sup>9</sup> <https://www.msk.gov.az/az/news/view/1337>



## **b) Counting votes**

Observers noted significant violations of the law affecting the quality of the vote counting process. The number of ballots taken out of the ballot boxes was artificially inflated, in some cases by as much as tenfold. Cases were observed of ballots sitting in the ballot boxes in suspicious packages, increasing the likelihood that they were thrown in collectively. At some polling places, vote counting protocols were not accurately recorded, and in other cases protocols were reportedly only completed at the precinct level, making it impossible for observers to obtain them after the counting at the polling station has been concluded.

## **c) Voter participation**

According to the Central Election Commission's (CEC) official report, voter turnout was stated as 37.27%. However, these figures are questionable. Observers, who monitored randomly selected polling stations, recorded significantly lower turnout compared to the CEC's reported numbers throughout the day. Unlike previous elections, the CEC only released turnout data at the district level, a serious setback in transparency and access to critical election information. In 2018, EMDS compared its observers' data with polling station-level figures from the CEC and found significant discrepancies. The absence of such detailed data in subsequent elections hampers independent verification and raises doubts about the CEC's official results.

## **d) Recorded violations**

Despite the fact that election day took place in a restrictive environment, EPDE experts were able to collect numerous reports of election law violations from observers and open sources. The examples below reflect the general nature of how election day was conducted:

- ▶ In the 70th Neftchala electoral district, candidate Vafa Naghieva faced significant pressure. A representative of rival candidate Tanzila Rustamkhani physically attacked Vafa, causing injuries. Additionally, Vafa's attorney's car was stoned, shattering its windows. Observers and journalists also faced intimidation, which hindered their ability to operate freely;
- ▶ In the 23rd Nasimi-Sabail electoral district, at precinct 17, ballots were found in piles throughout the day, indicating ballot box stuffing;
- ▶ At precinct 25 in the 15th Yasamal I electoral district, ballots pre-marked with one of the candidate's names were discovered;
- ▶ At precinct 3 in the 70th Neftchala electoral district, observer Giyas Ibrahim faced harassment while filming the vote count. His phone was confiscated, and he was forcibly removed from the polling station. He was not provided with a copy of the protocol afterward;

- ▶ In the 42nd Sumgait I electoral district, at precinct 2, the same voter voted multiple times.
- ▶ At precinct 88 in the 80th Lerik-Astara electoral district, ballots were found in piles in the ballot box.
- ▶ In the Binagadi II electoral district, there were frequent interruptions in the video feed from the webcams at precincts 9 and 6.
- ▶ In the 70th Neftchala electoral district, 51,462 voters were registered. The district electoral commission reported 3,000 voters participating in mobile voting on election day, intended for those unable to visit polling stations. However, this figure appears inaccurate, suggesting potential falsification of the process;
- ▶ At precinct 45 in the 65th Salyan-Bilasuvar-Neftchala electoral district, an observer documented continuous voter activity throughout the day. According to the observer, 275 voters cast ballots, with 35 using the mobile ballot box, totaling 310 participants. However, 429 ballots were found in the box. The observer reported that at the end of the voting day, after the ballots were emptied onto the table, commission member Asgarov Arastun Alakbar added approximately 150 fraudulent ballots among the legitimate ones;
- ▶ In the 8th electoral district, several Musavat party observers were denied entry to the polling station. The stated reason was that their certificates needed to include the precinct number. However, according to the CEC, observers are permitted to monitor any polling station, and their certificates do not require precinct or district numbers. Observer Javad Gafarov was taken to the police around 9 a.m. and later released.

#### **e) Official result**

The Central Election Commission (CEC) announced<sup>10</sup> the preliminary results on September 2. According to these results, the voter turnout nationwide was reported to be 37.27%. The latest data indicates that the total number of registered voters in the country is 6,421,960.

According to the preliminary results, the ruling New Azerbaijan Party (NAP) won 68 seats (54.4%). Additionally, 44 seats were secured by independent candidates known for their pro-government stance. The Civic Solidarity Party (CSP) will be represented by three deputies, and the Justice, Law, and Democracy Party (JLDP) will have two deputies. Eight other parties - Republican Alternative Party (REAL), National Independence Party (AIP), Democratic Reforms Party (DRP), Motherland Party (AMP), Great Liberation Party (GLP), Great Azerbaijan Party (GAP), National Front Party (NFP), and Azerbaijan Democratic Enlightenment Party (ADEP) - each secured one deputy seat.

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<sup>10</sup> <https://www.msk.gov.az/az/news/view/1337>

## VI. CONCLUSIONS AND RECOMMENDATIONS

### a) Conclusions:

- ▶ The snap parliamentary elections on September 1, 2024, were scheduled without assessing the political needs related to elections, without adhering to the principle of election periodicity, and without informing all public and political parties in advance.
- ▶ There has been no improvement in the Election Code despite long-standing recommendations from the Venice Commission of the Council of Europe and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), including regarding the laws on NGOs, media, and political parties
- ▶ Since the 2020 snap parliamentary elections, opportunities for political activity in the country have further diminished, and the number of individuals imprisoned for political reasons has increased. Despite ongoing demands from the Committee of Ministers of the Council of Europe, the government has failed to implement the European Court of Human Rights' rulings on politically motivated arrests, fair trial rights, and election-related violations.
- ▶ In recent years, political stagnation has deepened, with the number of political parties halving and restrictions on independent civil society organizations and media intensifying. Persecution of journalists and activists has also escalated. As a result, citizens' free expression of will was not ensured during the September 1, 2024, snap parliamentary elections, largely due to the limited participation of civil society organizations and political parties.
- ▶ Citizen observers have come under unprecedented pressure, preventing many activists from conducting observations on election day. The largest election monitoring organization in the country, the Election Monitoring and Democracy Studies Center, was forced to limit its activities before the elections. The organization's leader, Anar Mammadli, was jailed on trumped-up charges, and other members and volunteers faced pressure and threats from law enforcement agencies. Some members of the network were forced to leave the country.
- ▶ Restrictions prevented opposing political forces from campaigning freely, and voters were prevented from making an informed choice. Candidates not affiliated with the regime could not enjoy free airtime on public television and radio.

- ▶ The Central Election Commission (CEC) failed to ensure the proper preparation of voter lists, did not guarantee the transparency of the electoral process and did not allow an inclusive registration of citizen election observers.
- ▶ On election day, traditional violations were recorded at polling stations across the country, including multiple voting, ballot stuffing, voter coercion, and pressure on election observers.
- ▶ The early parliamentary elections held on September 1, 2024, cannot be considered free and fair due to the lack of a favorable democratic environment that allowed for equal and real political competition. Mass arrests and political persecution, ignoring the need to implement the recommendations of international institutions, and the continuation of electoral violations and fraud do not allow these elections to be considered genuine.

#### **b) Recommendations:**

- ▶ Political authorities should demonstrate a commitment to safeguarding freedom of expression, the right to assemble, and the right to associate. Measures must be taken to address political stagnation, cease pressures on political opponents, and adopt a tolerant approach towards independent media and civil society.
- ▶ Public activists, journalists, and political figures imprisoned for political reasons should be released, and a supportive democratic environment should be fostered to strengthen citizen-state relations.
- ▶ There should be a clear political commitment to enhancing the Election Code and election practices in line with the recommendations of the Council of Europe's Venice Commission, the OSCE Office for Democratic Institutions and Human Rights, and local public and political organizations.
- ▶ Election commissions should publicly disclose their decisions regarding the accountability of officials for any violations recorded on election day.
- ▶ Election commissions should strive for transparency in future election processes and ensure that all citizens have the opportunity to observe the election process without obstruction.