

## **DECISION**

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 157 received by the Central Election Commission on January 10, 2015 regarding the Municipal Elections held on December 23, 2014**

Habil Famil Jafarov, registered candidate and others on Khalfali municipality of Imishli Con.EC # 79 appealed to CEC regarding the Municipal elections on December 23, 2014, claimed on the law violations committed in the polling stations # 23, 24 and 25 of that Con.EC and informed on the groundlessness of the relevant Con.EC decision # 1/2 on that, dated January 2, 2015 and requested to annul that decision and undertake relevant measures.

The complaint was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan and "Instruction on the rules for filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration", relevant opinion was provided on this issue by a member of the Expert Group under CEC and considered at the Commission session upon the investigation of the appeal by the Expert Group member.

During the investigation the cases included in the appeal have not been justified basing on the explanations by the PEC members of the disputed polling stations, observers who have observed in those polling stations and compiled acts.

During the investigation of the appeal by H.F.Jafarov it was determined basing the explanations by the PEC members of the polling stations # 23, 24 and 25 of Imishli Con.EC # 79, candidates registered but not elected to Khalfali municipality, observers who had observed in those polling stations on the voting day and on the compiled acts that the voting had been conducted with high turnout in the disputed polling stations, the voting process was held under direct observation of the observers representing different political parties and on their own initiatives since the beginning till the end.

So, PEC members of the polling stations # 26, 27 and 28 of Imishli Con.EC # 79 - D.B.Abbasov, E.Kh.Huseynov, T.M.Balakishiyev, S.K.Novruzov, F.B.Tarverdiyev, S.Z.Muradov, observers A.A.Mammadov, I.Kh.Shikhaliyev, R.Y.Mammadov, V.B.Masimov, S.G.Hasanov, other candidates registered but not elected to Khalfali municipality S.G.Imanov, L.F.Novruzova, E.F.Mikayilova and I.S.Imanov expressed in their explanations that any law violation had not been observed, the election results had not been influenced, meanwhile, every voter had voted personally, the vote counting had been conducted legally and the PEC voting results protocol was compiled at the PEC.

The applicant's claims on the voting in the place of the voters who have not participated in the voting and putting marks before the names of any candidate they withed in the ballot papers by the PEC chairmen have not been justified.

Since the claimed cases included in the appeal have not been justified through full, detailed, fair and impartial investigation of the appeal and written evidences, the complaint shall not be implemented and the decision # 1/2 of Imishli Con.EC # 79, dated January 2, 2015 shall be remained in force without being amended.

By assuming the above-mentioned as a basis and pursuant to Articles 19.4, 28.2, 112, 112-1 of the Election Code of the Republic of Azerbaijan and items # 1, 2, 4, 6, 7 of “Instruction on the rules for filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration”, CEC **decides:**

1. The appeal # 157 dated January 10, 2015 by Habil Famil Jafarov, registered candidate and others on Khalfali municipality of Imishli Con.EC # 79 shall not be implemented due to its groundless factors and the decision # 1/2 of that Con.EC dated January 2, 2015 shall be kept in force without being amended.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov