

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeals # 134 on and # 140 on January 7, 2015 received by the Central Election Commission regarding the Municipal Elections held on December 23, 2014

Sabir Jamil Farzaliyev and Hafiz Yashasin Abdullayev, registered candidates and Jahid Jamil Aliyev, observer on Shanlik municipality of Aghjabedi Con.EC # 82 appealed to CEC regarding the Municipal elections on January 6 and 7, 2015, complained against the decision # 30/70 of Aghjabedi Con.EC # 82 dated December 28, 2014, thereby requesting to annul the decision and the election results on that municipality.

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.

As the appeals have been filed against the same decision of the Con.EC, they were investigated upon combination in one implementation.

During the investigation process the applicants were contacted, informed on their right to participate in the investigation.

During the investigation it was determined that a group of observers and registered candidates to the membership of Shanlik municipality of Aghjabedi Con.EC # 82 appealed to CEC by telegram regarding the law violations in the polling stations # 16 and 17. As the appeal had been submitted by offending destination rules, it was sent to the above-mentioned Con.EC for investigation. The appeal was considered in comply with the Election Code and relevant Instruction and the relevant Con.EC adopted a decision # 30/70 on December 28, 2014 on not implementing it.

During the investigation of the appeal it was determined basing a reference by Aghjabedi Con.EC # 82 the PEC and Con.EC had not received a complaint by the observers on the voting day and vote counting, registered candidates and other election actors in the polling stations # 16 and 17 concerning the law violations. After the voting results have been determined, some registered candidates who have not collected sufficient votes and their observers complained to different bodies on law violations during elections.

Commission members representing different political parties of the polling stations # 16 and 17 and a number of observers who had observed the elections, as well as, other registered candidates who had not collected sufficient votes expressed in their explanations that any law violations were not committed which could affect the election results in those polling stations on the voting day and in the process of vote calculation.

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 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 and 8 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 appeals # 134 dated January 6, 2015 and # 140 dated January 7, 2015 Sabir Jamil Farzaliyev and Hafiz Yashasin Abdullayev, registered candidates and Jahid Jamil Aliyev, observer on Shanlik municipality of Aghjabedi Con.EC # 82 shall not be implemented due to their groundless factors and the decision # 30/70 of dated December 28, 2014 of that election constituency 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