

## **DECISION**

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 89 received by the Central Election Commission on January 1, 2015**

Behmen Abdul Huseynov and Nureddin Pasha Mustafayev, registered candidates on Sapnakaran municipality of Lankaran-Astara Con.EC # 76 appealed to CEC on January 1, 2015 regarding the Municipal elections on December 23, 2014 and informed on the law violations committed during re-counting of votes in the polling stations # 11 and 12 of that election constituency, thereby requested to undertake relevant measures on that.

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 applicants were informed on the conduct of investigation and explained on his right to participate at the investigation.

It was determined during full, detailed, impartial investigation of the appeal that the commission had adopted a decision on re-counting of votes in the polling stations # 11 and 12 of Lankaran-Astara Con.EC # 76, basing on the appeal of registered candidate Behmen Abdul Huseynov and sent it to the relevant Con.EC. It is determined through the decision # 24/63 submitted to CEC by the Con.EC on December 28, 2014 that the Con.EC conducted re-count of votes in the polling stations # 11 and 12 with the participation of Bahman Abdul Huseynov, Nureddin Pasha Mustafayev, Shaddig Ali Babayev, registered candidates on Sapnakaran municipality and observers Shohret Khudaverdi Mammadov, Suret Asad Ahmadov and Ilgar Jasaret Suvarov. The results defined through re-counting of votes coincided with the information included in the compiled protocols. The copies of the protocols compiled on re-counting of votes and adopted decisions were submitted to the interested persons.

Shohret Khudaverdi Mammadov, Suret Asad Ahmadov and Ilgar Jasaret Suvarov, observers who had participated in re-counting of votes included in their explanations that they had not observed any law violation in the process of re-counting of votes in the polling stations # 11 and 12 and the results defined through re-counting of votes coincided with the information included in the compiled protocols.

It was determined during full, detailed, fair and impartial investigation of the appeal that any law violation had not been determined in the actions of the Con.EC during re-counting of votes in the polling stations # 11 and 12. Since the arguments included in the appeal have not been justified, the appeal shall not be implemented upon being considered groundless.

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 appeal # 89 dated January 1, 2015 by Behmen Abdul Huseynov and Nureddin Pasha Mustafayev, registered candidates on Sapnakaran municipality of Lankaran-Astara Con.EC # 76 shall not be implemented due to its groundless factors.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov