

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 150 received by the Central Election Commission on January 9, 2015 regarding the Municipal Elections held on December 23, 2014

Telman Nizameddin Mammadov, registered candidate on Birinji Shikhli municipality of Gazakh Con.EC # 107 appealed to CEC on January 9, 2015 regarding the Municipal elections on December 23, 2014, complained against the decision # 81/217 of Gazakh Con.EC # 107, dated December 28, 2014 and requested to annul that decision.

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 process the applicant was contacted with and informed on his right to participate in the investigation.

T.N.Mammadov, registered candidate on Birinji Shikhli municipality of Gazakh Con.EC # 107 appealed to CEC on December 25, 2014 regarding the law violations supposed in the polling station # 26 on the voting day and that appeal was sent to Gazakh Con.EC # 107 for re-counting of votes upon implementing the complaint partly and investigation of law violations by the CEC decision # 18/116, dated December 26, 2014. The Con.EC conducted re-counting of votes on the disputed polling stations and adopted decision # 81/217 on December 28, 2014.

During the investigation of the appeal by it was determined the results in the voting results protocol of the PEC # 26 of Gazakh Con.EC # 107 are the same with the results included in the Con.EC protocol on vote calculation.

So, PEC members of the polling station # 26 who had directly observed re-counting of votes- F.S.Dashdamirov, O.N.Allahverenov, M.M.Zamanov, B.K.Musayev, B.K.Huseynov, other candidates who had been registered but had not collected sufficient votes on Birinji Shikhli municipality - S.N.Mammadov, I.T.Humbatov, N.B.Hasanov, I.V.Bayramov and observers T.K.Omarova, L.S.Omarova, J.M.Gurbanova expressed in their explanations and compiled acts that re-counting of votes had been conducted in comply with the Election Code and any irregularity had not been found between the votes in the PEC voting results protocol and the relevant Con.EC protocol on re-counting of votes.

Through full, detailed, fair and impartial investigation of the appeal and written evidences, any legal ground was not found to annul the disputed decision of the Con.EC.

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 # 150 dated January 9, 2015 by Telman Nizameddin Mammadov, registered candidate on Birinji Shikhli municipality of Gazakh Con.EC # 107 shall not be implemented due to its groundless factors and the decision # 81/217 of that Con.EC dated December 28, 2014 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