

## DECISION

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 144 received by the Central Election Commission on January 8, 2015 regarding the Municipal Elections held on December 23, 2014**

Shohrat Asad Mammadzadeh, registered candidate on Khanliglar municipality of Tovuz-Gazakh-Aghstafa Con.EC # 106 appealed to CEC on January 8, 2015 regarding the Municipal elections on December 23, 2014, complained against the relevant Con.EC decision and requested to examine the signatures of the voters' who came to the voting to the polling stations of 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.

Ensuring the citizens' election rights the applicant's appeal was investigated by CEC in a manner and time period defined by law.

During the investigation it was determined that applicant Sh.A.Mammadzadeh appealed to CEC on December 26, 2014 regarding the examination of the signatures of the voters' who came to the voting to the polling stations of that municipality and his appeal was considered by the above-mentioned Con.EC on December 27, 2014. The appeal was considered and the relevant Con.EC adopted a decision # 22/60 on not implementing it.

During the investigation of the appeal by Sh.A.Mammadzadeh it was determined basing the explanations by the PEC members of the polling stations # 26, 27 and 28 of Tovuz-Gazakh-Aghstafa Con.EC # 106, candidates registered but not elected to Khanliglar 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 Tovuz-Gazakh-Aghstafa Con.EC # 106 - M.T.Huseynov, Kh.S.Khudaverdiyev, Kh.R.Balayev, R.V.Hasanov, B.T.Salmanov, I.Kh.Valiyev, M.Z.Mammadova, F.O.Aliyev, J.E.Shahvaladov, Z.A.Mammadov, A.I.Gorchuyev, A.G.Valiyev, other candidates registered but not elected to Khanliglar municipality H.M.Hasanov, R.Sh.Aliyeva, N.A.Mehdiyev, M.V.Valiyev, M.M.Heydarov, Kh.N.Mehdiyev and R.Z.Aslanov, observers S.V.Shahbazov, G.G.Mustafayev, T.I.Kosayeva, K.P.Ashrafof, A.M.Sariyev, I.T.Gadimov, A.T.Nasibov, R.Z.Aslanov, M.I.Nasibov and others expressed in their written explanations that the voting and all the election actions had been conducted by the election actors under the observation of a lot of observers in comply with legislation, relevant election commissions had not received any complaint on law violations, any law violation was not encountered regarding the organization and conduct of elections,

also the voting results, the voting was conducted with high voter turnout and every voter voted privately.

Furthermore, during the investigation process the applicant was contacted and informed on his right to participate in the investigation.

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 # 22/60 of Tovuz-Gazakh-Aghstafa Con.EC # 106, dated December 27, 2014 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 # 144 dated January 8, 2015 by Shohrat Asad Mammadzadeh, registered candidate on Khanliglar municipality of Tovuz-Gazakh-Aghstafa Con.EC # 106 shall not be implemented due to its groundless factors and the decision # 22/60 of that Con.EC dated December 27, 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