

## DECISION

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 155 received by the Central Election Commission on January 10, 2015 regarding the Municipal Elections held on December 23, 2014**

Gamed Ismayil Gadirov, registered candidate on Malham municipality of Shamakhi Con.EC # 85 appealed to CEC on January 10, 2015 regarding the Municipal elections on December 23, 2014, claiming that his appeal on the annul of the voting results in the polling stations # 44, 45 and 46 of that Con.EC had not been considered and requested to undertake relevant measures on this.

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.

It was determined regarding the appeal of G.I.Gadirov that Shamakhi Con.EC # 85 conducted re-counting of votes on the polling stations # 44, 45 and 46 on December 30, 2014 and since the results in the PEC voting results protocols had been the same with the results in the relevant Con.EC protocol on re-counting of votes, the appeal was not implemented and a copy of the decision was sent to the applicant.

Meanwhile, the investigation revealed that the cases claimed in the appeal on the law violations in the disputed polling stations have not been justified.

So, PEC members R.C.Aghayeva, A.E.Mammadov, E.F.Aydamirov, E.S.Zeynalov, T.A.Azizov, V.M.Gadirov, V.D.Islamov, N.N.Nasirov, I.M.Mursalov, F.B.Nasirov, candidates who have been registered but have not collected sufficient votes G.A.Mursaliyeva, Y.Mirzayeva, I.Shikhaliyev, A.P.Khudaverdiyev, R.A.Bayramov, S.A.Baghirova, G.Novruzova, R.S.Bayramov, Z.A.Ibrahimli, J.A.Bayramova and observers S.M.Heydarov, N.Osmanov, Z.M.Shukurov, R.A.Mahmudov and H.S.Sheydayev expressed in their explanations that not any law violation was committed in the election process, also the vote counting was conducted with the participation of relevant persons in comply with legislation.

Since the cases included in the appeal had not been justified through full, detailed, fair and impartial investigation of the appeal, the complaint shall not be implemented.

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 # 155 dated January 10, 2015 by Gamed Ismayil Gadirov, registered candidate on Malham municipality of Shamakhi Con.EC # 85 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