

## **DECISION**

### **of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 125 submitted to the Central Election Commission on November 3, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015**

In his written apply addressed to the Central Election Commission on November 3, 2015, Yarbala Hijran Mammadov and Ahad Zabit Ahmadov, voters on Shabran-Siyazan Con.EC # 54 claimed that there were law violations on voting day on the same Con.EC and requested to consider voting results being invalid and re-conduct elections.

Elza Nuru Gasimova registered candidate to deputy on Shabran-Siyazan Con.EC # 54 was indicated as complainer in the appeals of the applicants.

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 submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions”, 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 kept in touch with A.Z. Ahmadov and Y.H. Mammadov regarding the investigation. They were informed on rights to submit additional documents and materials, to participate in investigation and meeting.

Y.H. Mammadov noted in his complaint that he was not informed on the content of appeal but his neighbor A.Z. Ahmadov requested him to give his identification card.

A.Z. Ahmadov noted that complaint was submitted by him, he had relative relationship with E.N. Gasimova, candidate to deputy, there were no materials and any documents confirming cases of the complaint.

In addition, during investigation it was defined that Y.H. Mammadov and A.Z. Ahmadov had no status of observer, the authorized representative and any others who knows all the cases indicated in the complaint (besides voting rights) on voting day.

It seen from the reference submitted by the constituency election commission that on voting day, appeals on any law violations were not submitted to the commission by Y.H. Mammadov, A.Z. Ahmadov and other persons.

As seen, Y.H. Mammadov and A.Z. Ahmadov had no legal grounds for appeals on cancellation of election results on Shabran-Siyazan Con.EC # 54 and re-conduction of elections. Any important circumstances for ensuring of the mentioned appeals were not found during investigation.

Therefore, appeals being invalid shall not be implemented.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 112, 112-1 of Election Code of the Republic of Azerbaijan and item # 1, 2, 4, 6 and 7 of the "Instruction on the rules for submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions", the Central Election Commission decides:

1. The appeals # 125 (dated November 3, 2015) submitted by Yarbala Hijran Mammadov and Ahad Zabit Ahmadov, voters on Shabran-Siyazan Con.EC # 54 shall not be implemented due to its groundlessness.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov