

## **DECISION**

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 143 received by the Central Election Commission on January 8, 2015 regarding the Municipal Elections held on December 23, 2014**

Zaur Mirzali Aliyev and Ahadov Khalid Ilham, registered candidates on Mamusta municipality of Lankaran-Astara Con.EC # 76 appealed to CEC on January 8, 2015 regarding the Municipal elections on December 23, 2014 and informed on their disagreement with the relevant Con.EC decision # 25/65 dated December 31, 2014, thereby requesting 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 investigation process the applicant was contacted and informed on his right to participate in the investigation.

During the investigation it was determined that Zaur Mirzali Aliyev and Ahadov Khalid Ilham, registered candidates on Mamusta municipality of Lankaran-Astara Con.EC # 76 appealed to CEC on December 29, 2014 regarding the law violations supposed to have been committed in the polling stations # 1, 2 and 3 and his appeal was sent to the above-mentioned Con.EC as it has been submitted by offending the destination rules. The appeal was considered in comply with the Election Code and relevant Instruction and the relevant Con.EC adopted a decision # 25/65 on not considering the appeal groundless.

During the investigation of the appeal it was determined basing a reference by Lankaran-Astara Con.EC # 76 that registered candidates, observers and other election actors had not submitted complaints on the law violations on the voting day and vote counting in the polling stations # 1, 2 and 3 to the Con.EC and PEC.

It was determined through the explanations by commission members of the polling stations # 1, 2 and 3, representing different political parties, a lot of observers who had observed the elections and registered candidates who had not collected sufficient votes that any violations were not committed which could impact the election results. Furthermore, it was also found out that webcam was installed in the polling station # 1 of that Con.EC and the whole voting process was monitored lively.

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

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 # 143 dated January 8, 2015 by Zaur Mirzali Aliyev and Ahadov Khalid Ilham, registered candidates on Mamusta municipality of Lankaran-Astara Con.EC # 76 shall not be implemented due to its groundless factors and the decision # 25/65 of that Con.EC dated December 31, 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