

## DECISION

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 130 received by the Central Election Commission on January 5, 2015 regarding the Municipal Elections held on December 23, 2014**

Mustafa Murad Muradov, registered candidate on Balaken municipality of Balaken Con.EC # 109 appealed to CEC regarding the Municipal elections on December 23, 2014, informed on the law violations committed in the polling stations # 1, 2, 4 and 5 of the above-mentioned municipality, thereby claiming the relevant Con.EC decision # 29/103 dated December 31, 2014 had been groundless and requested to annul that decision and to undertake relevant measures.

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.

The claimed cases included in the appeal have not been justified through full, detailed, fair and impartial investigation of the appeal and written evidences of observers and compiled acts.

During the investigation of the appeal by M.M.Muradov it was determined basing the explanations by the PEC members of the polling stations # 1, 2, 4 and 5 of Balaken Con.EC # 109, candidates registered but not elected to Balaken 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, members of the polling stations # 1, 2, 4 and 5 of Balaken Con.EC # 109 A.N.Aghayeva, M.G.Garayeva, N.M.Garayev, Sh.Sh.Motukhova, J.M.Garalova, G.B.Khalilova, G.Nastakalova, A.M.Azizova, R.P.Rahimli, I.A.Soltanov, V.A.Alimardanov, D.I.Garachayeva, V.K.Ojagverdiyev, H.N.Jantayev, A.A.Khurtunova, Y.S.Zamanova, S.Z.Gadirova, U.R.Aliyev, T.R.Mahmudov, I.O.Gallacov, observers E.V.Aliyeva, K.P.Hasanova, R.R.Suleymanova, N.M.Osmanov, K.R.Bayramova, Z.A.Najafov, E.R.Azimova, S.H.Murtuzayeva, B.J.Shashqayeva, R.J.Musayev, E.M.Hajiyev, E.G.Hajiyeva, J.E.Aligayeva, F.A.Molulova, E.R.Abbasova, S.Z.Murtuzova, A.T.Bayramova, M.I.Musalimova, I.A.Rahimova, A.K.Hajiyev, A.A.Algayev, R.T.Taghiyev, M.S.Tosova, Sh.B.Abdullayev, D.G.Gardashova, G.S.Ismayilov, G.J.Hajiyeva, K.M.Vaslarov, M.S.Guliyeva, N.Zlsgandarova, O.H.Gurbanova, X.M.Isakhaliyeva, V.A.Mammadova, M.T.Dibirov, Sh.A.Tutunchuyeva, S.E.Garayeva, R.N.Garachayev, I.Sh.Saramonov, N.M.Suleymanov, A.R.Kazimova, 26 candidates who had been registered to Balaken municipality but who had not collected sufficient votes expressed in their explanations that any law violation was not observed in the voting process, the voting procedures were not influenced, every voter voted privately, vote calculation was conducted legally and the PEC voting results protocol was compiled in the polling station on Election Day.

M.S.Guliyeva, F.A.Molulova, Kh.M.Mustafayeva, K.H.Vasovlar, A.I.Musayeva and A.M.Isayeva who were claimed to have participated in the voting on Election Day by the applicant provided in their explanations that their voting in place of other persons had been groundless.

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 # 29/103 of Balaken Con.EC # 109, dated December 31, 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 # 130 dated January 5, 2015 by Mustafa Murad Muradov, registered candidate on Balaken municipality of Balaken Con.EC # 109 shall not be implemented due to its groundless factors and the decision # 29/103 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