

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 158 received by the Central Election Commission on January 10, 2015 regarding the Municipal Elections held on December 23, 2014

Atash Davud Ahmadov, registered candidate on Malikumudlu municipality of Zerdab-Ujar Con.EC # 92 appealed to CEC on January 10, 2015 regarding the Municipal elections on December 23, 2014 and argued that his participation had not been ensured in the investigation of the appeal on law violations committed in the polling station # 31 of that Con.EC, thereby requesting to undertake relevant measures on that.

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 A.D.Ahmadov and E.S.Guliyev, observer appointed by him appealed to Zerdab-Ujar Con.EC # 92 on December 27, 2014 regarding the law violations supposed to have been committed in the polling stations # 31 of that Con.EC and the appeal was considered and a decision # 17/42 on not implementing the appeal was adopted on December 28, 2014.

It was determined through a reference by Zerdab-Ujar Con.EC # 92 and explanation of observer E.S.Guliyev that although registered candidate A.D.Ahmadov and the observer appointed by him had been invited to the investigation, only E.S.Guliyev from applicants took part at the commission session.

It was also determined through explanations by commission members representing different political parties, observers who had observed in the disputed polling stations, as well as, registered candidates who had not collected sufficient votes that any violations were not committed which could impact the election results.

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 # 158 dated January 10, 2015 by Atash Davud Ahmadov, registered candidate on Malikumudlu municipality of Zerdab-Ujar Con.EC # 92 shall not be implemented due to its groundless factors and the decision # 17/42 of that Con.EC dated December 28, 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