

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 93 received by the Central Election Commission on January 1, 2015

Memish Nameddin Memishov, registered candidate on Bichagchi municipality of Zerdab-Ujar Con.EC # 39 appealed to CEC on January 1, 2015 regarding the Municipal elections on December 23, 2014 and requested to annul the decision # 18/45 dated December 29, 2014 by that Con.EC on re-counting of votes.

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 the applicant was informed on the conduct of investigation and explained on his right to participate at the investigation.

It was determined during full, detailed, impartial investigation of the appeal that by considering groundless, the appeal shall not be implemented as the arguments on the annul of the relevant decision on re-counting of votes have not been justified on Bichagchi municipality of Zerdab-Ujar ConEC # 92.

The explanations by the members of Zerdab-Ujar ConEC # 92 and the members of the PEC # 10 covering Bichagchi municipality of that constituency revealed that the rule for re-counting of votes had been in comply with the Election Code and the participation of the persons entitled to observe the process was ensured.

It was determined during investigation that the voting results included in the protocol of the PEC # 10 covering Bichagchi municipality in the Municipal Elections held on December 29, 2014 coincided with the results in the relevant protocol of the Con.EC on re-counting of votes.

Furthermore, according to the explanations by E.Y.Yusifova, S.E.Ibrahimova, other registered candidates on Bichagchi municipality who had observed the process of re-counting of votes and A.S.Javadov (ASRP), F.M.Isgandarov (BAXCP), T.M.Valikov (AVP) and A.H.Hasanov, observers representing different political parties, the process of re-counting of votes had been conducted in comply with the Election Code and any nonconformity was not found between the PEC voting results protocol and Con.EC protocol on re-count of votes.

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 # 93 dated January 1, 2015 by Memish Nameddin Memishov, registered candidate on Bichagchi municipality of Zerdab-Ujar Con.EC # 39 shall not be implemented due to its groundless factors and the decision # 18/45 of that election constituency dated December 29, 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