

DECISION

of Central Election Commission of the Republic of Azerbaijan
on consideration of the appeal # 48 submitted to the Central Election Commission on
December 30, 2019 in the Municipal Elections on December 23, 2019

Regarding the Municipal Elections on December 23, 2019, Parvana Beybala Zarbaliyeva, registered candidate on Kurkandi municipality of Sabirabad first Con.EC # 63 sent a telegram to the Central Election Commission of the Republic of Azerbaijan (CEC) on December 30, 2019 and argued the Con.EC decision # 26/72, dated 28 December 2019 on the investigation of the law violations on the voting day in the PEC # 20 of that election constituency, therefore requested to re-consider the complaint and undertake relevant measures.

The appeal was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan (Election Code) 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.

The candidate indicated in his appeal that though he had gained higher votes, the candidates who gained less votes than him were elected municipality members.

During the investigation process registered candidate P.B.Zarbaliyeva was contacted to and explained his rights to present any document and materials, to take part in the investigation and session, also he was informed on the date of the session.

Therewith, the argued decision of the Con.EC and other documents were attached to the investigation materials.

Sabirabad first Con.EC # 63 substantiated its decision that the claims on the law violations supposed to have been committed in the PEC # 20 were not justified and not any law violation was not committed which did not allow to determine voters' will on the PEC # 20 during the conduct of voting or defining the voters' will, the appeal of registered candidate P.B.Zarbaliyev shall not be implemented due to groundlessness.

It was determined through the investigation the law violation claimed to have been committed in the PEC # 20 of Sabirabad first con.EC # 63 was not justified, the PEC final voting results protocol was compiled in accordance with the requirements of the Election Code and due to that reason, the Con.EC arrived at proper conclusion.

Thus, law violations claimed to have been committed in the vote counting was not justified and the case was verified by the explanations of the observers who had monitored the vote count -M.A.Hasanov, V.I.Naghiyev, A.H.Ramazanov, S.N.Nazimov, H.M.Mammadov, I.M.Mehdiyev, , other candidates not elected to municipality membership V.I.Maharramov, A.T.Urufova, G.A.Abdullayeva, M.A.Aliyeva, P.A.Abdullayev, I.Ismiyev, G.Aliyev, E.Kazimov, chairman of the PEC A.A.Gurbanov, secretaries N.F.Mammadov, H.O.Maharramli, commission members V.M.Qasimov, R.M.Novruzov, T.Huseynov.

During the investigation legal grounds were not found out to implement the complaint and the decision # 26/72, dated 28 December 2019 of Sabirabad first Con.EC # 63 was adopted in compliance with the requirements of the election legislation.

Pursuant to 19.4, 28.2, 112, 112-1 of Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6, 7 and 8 of the "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" the Central Election Commission **decides:**

1. The appeal # 48 submitted to CEC on December 30, 2019 by ParvanaBeybalaZarbaliyeva, registered candidate on Kurkandi municipality of Sabirabad first Con.EC # 63 in the Municipal Elections on December 23, 2019 shall not be implemented due to groundlessness and the Con.EC decision # 26/72, dated 28 December 2019 shall be remained enforced without being amended.
2. The decision shall be enforced upon its publication.

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov