

DECISION

of Central Election Commission of the Republic of Azerbaijan
on consideration of the appeal # 58 submitted to the Central Election Commission on
January 4, 2020 in the Municipal Elections on December 23, 2019

Regarding the Municipal Elections on December 23, 2019, Rustamov Rafiq Bahram registered candidate on Jalilabad municipality of Jalilabad Con.EC # 67 and observer Shahmarov Abulfat Atash appealed to the Central Election Commission of the Republic of Azerbaijan (CEC) on January 4, 2020 and arguing the Con.EC decision # 35/315, dated 30 December 2019 of Jalilabad Con.EC # 67 and claimed that on the voting day law violations were committed in the polling stations covering that municipality.

The appeal was adopted to investigation in accordance 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" and relevant opinion was provided on this issue by a member of the Expert Group under CEC and considered at the Commission session.

The plaintiffs indicated in their appeal that according to the results of the voting, the votes cast for registered candidate Rustamov Rafiq Bahram were not properly counted.

During the investigation process the applicants were contacted with, informed on their rights to take part at the investigation and session, also to submit any document or material.

It was defined through the investigation that although the plaintiff claimed to have observed the vote counting themselves in the argued polling stations, the observation by the candidate himself and his observer in those polling stations was not justified. Thus, not allowing the commitment of any law violation in the vote counting and compilation of the voting results protocol on the voting day in the 14 PEC of the Jalilabad Con.EC # 67 is proved by the reports provided by the observers who observed the vote count - İ.S.Mirzayev, M.M.Fatullayev, A.M.Abdullayev, Z.A.Aslanov, R.A.Huseynov, B.F.Salimov, İ.A.Alasgarov, E.SH.İbadov, A.A.Nasirov, SH.S.Sadatova, V.V.Mammadov, X.Sh.Mirzayev, A.A.Nacafov, other registered candidates but not elected municipal members Q.Q.Qasimov, B.R.Allahverdiyev, S.X.Agayev, İ.P.Qasimzada, Q.A.Agayev, E.P.Qasimov, A.V.Babayev, G.A.Mammadova, V.S.Mahmudov, G.Z.Quliyev, S.M.Asadov, F.B.Aliyev, R.İ.Huseynli, H.L.Mirzayev, seçicilər A.M.Camalov, Q.M.Camalov, İ.R.Qahramanov, A.H.Cabrayilov, M.M.Muradov, A.A.Qambarov, H.Q.Dövlətov, L.A.Qasimov, İ.Aliyev, O.F.Gulaliyev, The polling stations in the constituency also covers members of the PEC R.SH.Hasanzada, G.G.Fatullayev, V.V.Mammadzada, C.A.Azimov, A.C.Hasanov, P.A.Hasanov, C.D.Nabiyev, A.Qambarov, H.A.Mirzayev, S.F.Feyzullayev, İ.M.Azizov, Z.H.SHamiyev, R.A.Quliyev, F.İ.Muradov, A.A.Xalilov, S.M.Huseynov, Y.N.Aliyev, A.Q.Askarov, Q.Y.Qasimov, N.Nazarov, E.F.Asadov, E.Qubadov, A.İ.Agayev, M.Hasanov, S.S.Quliyev, S.SH.Adbullu, E.Z.Azimov, A.A.Agayev, H.A.Astanov, P.X.Aliyev, Z.Seyfullayev, A.A.Novruzov, E.S.Valiyev, N.A.Mammadov, A.V.Aliyev, V.İ.Mammadov, İ.Mammadli, M.A.Amiraslanov, SH.A.Amiraslanova, E.X.Miralamov, A.Z.Aliyev, Y.M.Suleymanov, SH.H.Yusubov, V.V.Azizov, F.F.Babayev, M.Agayev, M.R.Qurbanov, N.F.Mirzayev, F.Quliyev, T.B.Quliyev, SH.A.Asadov, A.B.Qambarov, A.M.Salmanov,

SH.A.Hasanov, X.I.Aliyev, M.Sultanova, Q.Q.Quliyev, F.H.Agayev, V.Allahverdiyev, M.QuliyevaP.N.Sadiqov.

Thus, no legal ground was established to ensure the appeal and to cancel the decision of the Con.EC.

Basing on the above-mentioned and 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 # 58, dated January 4, 2020 filed by RustamovRafiqBahramregistered candidate on Jalilabad municipality of Jalilabad Con.EC # 67 and observer ShahmarovAbulfatAtashin the Municipal Elections held on December 23, 2019 shall not be implemented due to groundlessness and the Con.EC decision # 35/315, dated 30 December 2019 shall be remained enforced without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov