

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 66, dated December 27, 2014, received by the Central Election Commission regarding the Municipal Elections held on December 23, 2014

Mahammad Ziyaviddinovich Omarov, registered candidate on Gakh municipality of Gakh Con.EC # 112 appealed to CEC on December 27, 2014 regarding the Municipal elections on December 23, 2014, complained that the final protocol on the voting results had been compiled at the Con.EC not at the PEC after the vote calculation in the polling stations of Gakh municipality and requested 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 applicant was informed on the investigation and his right to participate in that investigation.

It was determined through full, detailed, fair and impartial investigation of the appeal that the claims on the compile of the final protocol on the voting results in polling stations had not been justified and due to that, the appeal shall not be implemented.

Basing on the explanations by the members of the PECs of Gakh Con.EC # 112 which had been disputed in the appeal, other registered candidates on Gakh municipality and observers representing different political parties who had observed in those polling stations, the final protocols on the voting results of the PECs had been compiled in those polling stations and sent the relevant Con.EC as defined by the Election Code.

So, chairpersons and members having decisive rights of the above-mentioned PECs expressed in their explanations that the voting process had been conducted in comply with legislation, final protocol on the voting results had been compiled under the observation of the entitled persons, one copy of them was hanged on the information board and other copies were delivered to those persons.

G.F.Ahmadova, R.N.Mammadli, A.N.Rzayev, R.R.Bilalov, other registered candidates on Gakh municipality expressed in their explanations that there was not any law violation in the voting process and after the final protocol on the voting results had been compiled at the PEC, one copy of that protocol was submitted to them in comply with legislation.

Furthermore, observers who had observed in the PEC # 1 of Gakh Con.EC # 112 - Heydarova Madinə Habib (Motherland PArty), Shikhamirov Vidadi Rajab (Great Creation Party) in the PEC # 2, Baghirov Kamran Elman (ASDP) in the PEC # 3, Azizova Dilara Hidayet (ADİSP) in the PEC #, Mahmudova Svetlana Mukhtar (MDHP) in the PEC # 5, Bilalov Nasir Jahangir (MMP) in the PEC #6, Shakiliyev Nurchin Nemat (Hope Party) in the PEC # 7, Kulashvili Jujuna Kostayevna in the PEC # 8, Hajiyev

Soltan Kazim (VHP) in the PEC # 56, Hashimov Ibrahim Rasul in the PEC # 57 expressed in their explanations that they had monitored the voting process on December 23, 2014 till the end, observed the vote calculation and compile of the final protocol and the protocol had been sent to the relevant Con.EC under their accompany upon providing them with the copy of it.

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 # 66 dated December 27, 2014 by Mahammad Ziyaviddinovich Omarov, registered candidate on Gakh municipality of Gakh Con.EC # 112 shall not be implemented due to the groundless factors.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov