

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 2 received by the Central Election Commission on November 20, 2014 regarding the Municipal Elections on December 23, 2014

Farrukh Musa Taghiyev, candidate to municipality membership on Masalli city Con.EC # 70 and others appealed to the Central Election Commission in written form on November 20, 2014 regarding the Municipal elections on December 23, 2014 and having informed on illegal interference in the activity of Masalli city Con.EC # 70 by the regional executive authority and obstructing the candidates by the representative on Musakucha administrative territory of the head of regional executive authority, they requested to undertake relevant measures defined by law.

The appeal 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.

Basing on the principle of ensuring voters' election rights, the appeals of the applicants were investigated by CEC within the legally defined time period and manner.

During the investigation process the applicants were contacted with, informed on their right to participate in the investigation and by inviting them to assist the investigation, they were suggested to present additional evidences on the incidents indicated in the appeal in a case of having such evidences.

Through a thorough, comprehensive, fair and impartial investigation of the incidents mentioned in the complaint and obtain of all the necessary evidences on the case, it was determined that F.M.Taghiyev and others nominated their candidacies on their own initiative in the Municipal elections on December 23, 2014 and submitted the documents implied by Article 53 of the Election Code of the Republic of Azerbaijan to Masalli city Con.EC # 70 for the verification of their candidacies on November 6, 2014. By the decision # 7/27 of that Con.EC dated November 7, 2014 Farrukh Musa Taghiyev, Mammadagha Bandali Eynullayev, Allahshukur Amir Abiyev and Terlan Soltanagha Abbaszadeh were verified as candidates to municipality membership without any obstacle and provided with signature sheets to collect signatures in support of their candidacies.

The above-mentioned candidates submitted signature sheets and other election documents implied by Article 58.1 of the Election Code individually to the relevant Con.EC on November 17, 2014. These documents were passed to the Working Group established under the above-mentioned Con.EC for consideration and currently the process of their examination is underway.

Pursuant to Article 60.1 of the Election Code, relevant Con.EC shall adopt a grounded decision on the registration or refusal from registering the candidate within 7 days after receiving signature sheets and other documents necessary for a candidate registration.

Obviously, the requirements of election legislation on the time period for the registration of the persons mentioned in the appeal as candidates to municipality membership were not offended by the relevant Con.EC.

Furthermore, the information by the chairperson of Masalli city Con.EC # 70 reveals that apart from providing all persons with equal opportunities and conditions by the commission to exercise their passive election rights, they were ensured free, fair and transparent election atmosphere for the nomination, verification and registration of the candidacies on the election constituency and any cases of interference or pressure upon the election process by any body or local executive authority were not committed.

In his written explanation Sh.A.Teymurov, representative on Musakucha administrative territory of Masalli regional executive authority who has been mentioned in the appeal informed that excluding the works on the update of voters' lists, they did not have any relationship with Con.EC and PEC and did not intervene in the process of nomination of candidacies to municipality membership and campaigns of candidates' signature collection in any form and indicating their names in the appeal submitted to CEC was due to the personal relationships between the applicants.

Regarding the above-mentioned factors, the Central Election Commission reckons that the appeal submitted to CEC by F.M.Taghiyev, candidate to membership of Musakucha municipality and others shall be implemented and Masalli region executive authorities shall be noted on the necessity of preventing the actions possible to be interpreted as intervention in the elections by them.

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 and 7 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 # 2 submitted to CEC on November 20, 2014 by Farrukh Musa Taghiyev, candidate to municipality membership on Masalli city Con.EC # 70 and others shall be implemented and Masalli region executive authorities shall be noted on the necessity of preventing the actions possible to be interpreted as intervention in the elections by them.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov