

## DECISION

**of the Central Election Commission on consideration of an appeal # 402 of January 05, 2010 submitted by the citizen Idrisov Shikhzada Ibrahim, in Municipal Elections conducted on December 23, 2009**

With regard to Municipal Elections conducted on 23 December 2009, Shikhzade Ibrahim oghlu Idrisov who was an observer in the polling station # 41 of Gusar Con.EC # 51 applied to Central Election Commission of the Republic of Azerbaijan and informed that the above-mentioned Con.EC had not consider his complaint on the law violations allowed by the chairman and members of the Precinct Election Commission, as well as other persons in vote counting and making the results official and in voting procedure, therefore the complainer asked for adopting relevant decision on illegal inaction of the Con.EC.

As the appeals correspond to the requirements of Articles 112 and 112-1 of Election Code of the Republic of Azerbaijan and Instruction "on rules for filing and processing of complaints and appeals on the violation of election rights by the Central Election Commission of the Republic of Azerbaijan and constituency election commissions", members of the Expert Group, established within the Central Election Commission, investigated the appeals and made appropriate opinions which were considered at the session of the Central Election Commission.

Central Election Commission investigated the appeal thoroughly, objectively and impartially within the period defined by law.

Thanks to the evidences obtained from the investigation, reveal that the complaint on the mentioned law violations entered the Con.EC by the observer Shikhzade Ibrahim oghlu Idrisov was registered in the defined manner, member of Expert Group established under the Con.EC provided opinion by investigating, at the session of Con.EC it was considered, relevant decision # 64/106, dated on 29 December 2009 was adopted and delivering the copy of this decision to the applicant was regarded legal activity.

So, the claims concerning inaction of Gusar Con.EC #51 did not assert themselves, therefore they shall not be implemented by being considered groundless.

Based on the statements mentioned above and in accordance with Articles 19.4, 28.2, 112 and 112-1 of Election Code of the Republic of Azerbaijan and provisions 1, 2, 4, 6 and 7 of the Instruction "on rules for filing and processing of complaints and appeals on the violation of election rights by the Central Election Commission of the Republic of Azerbaijan and constituency election commissions", the Central Election Commission of the Republic of Azerbaijan **decides:**

1. The appeal # 402, dated on 05 January 2010 by citizen Idrisov Shikhzada Ibrahim oghlu, shall not be implemented due to its groundlessness.

2. The decision comes into force from the day of its publication.

Chairman

Mazahir Panahov

Secretary

Natiq Mammadov

## Members

Fuad Javadov

Ramiz Ibrahimov

Valida Kazimova

Qabil Orujov

Tofiq Qasanov

Ilham Mammadov

Nizami Nadirov

Azer Tagiyev

Rovshan Ismayilov

Oktay Humbatli