

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 137 received by the Central Election Commission on January 6, 2015 regarding the Municipal Elections held on December 23, 2014

Aghahuseyn Safar Gozelov, registered candidate on Chakhirli municipality of Masalli city Con.EC # 70 appealed to CEC regarding the Municipal elections on December 23, 2014 and requested to annul the decision # 22/106 of Masalli city Con.EC # 70 on re-counting of votes.

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.

During the investigation process the applicant was contacted, informed on his right to participate in the investigation.

Since the claimed cases included in the appeal have not been justified through full, detailed, fair and impartial investigation of the appeal and written evidences, the complaint shall not be implemented and the decision of Masalli city Con.EC # 70 on re-counting of votes in the polling station # 23, shall be remained in force without being amended.

Explanations by Masalli city Con.EC # 70 and members of the polling station # 23 reveal that the process of re-counting of votes had been organized in comply with the Election Code, the participation of the persons entitled to observe the process had been ensured during re-counting and a copy of the protocol on re-counting of votes was delivered to the entitled persons.

During the investigation it was determined that the voting results in the protocol of the PEC # 23 of Masalli city Con.EC # 70 coincides with the results included in the relevant Con.EC protocol on re-counting of votes.

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 # 137 dated January 6, 2015 by Aghahuseyn Safar Gozelov, registered candidate on Chakhirli municipality of Masalli city Con.EC # 70 shall not be implemented due to its groundless factors and the decision # 22/106 of that Con.EC, dated December 31, 2014 shall be kept in force without being amended.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov