

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 66 submitted to the Central Election Commission on October 9, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015

In his written apply addressed to the Central Election Commission on October 9, 2015, Kazimov Osman Alishirin, nominated by Musavat Party on Fuzuli Con.EC # 84 challenged the decision of the Con.EC on refusal to register his candidacy and requested for the redress of his violated rights upon making a relevant decision.

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 submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions", 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.

In the appeal nominee O.A.Kazimov informed that his candidacy had been nominated by Musavat Party on Fuzuli Con.EC # 84 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, signature sheets and other necessary documents attached to them were submitted to the Con.EC upon collecting voters' signatures within that constituency, since some signatures considered invalid and accurate information on property was not submitted the registration of a candidate was refused by relevant decision of the Con.EC.

The Con.EC substantiated its decision on the refusal from registering the candidacy of O.A.Kazimov on the grounds that Articles # 58.1.5 and 60.2.3 of Election Code were violated while submitting signature sheets and other necessary documents attached to them, the information on the general ownership of his transport vehicles was not included.

During the investigation process the applicant was contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, his participation in the investigation and session of the Central Election Commission was provided.

During the investigation process the opinion dated October 10, 2015, compiled by the Working Group under the Central Election Commission upon the examination of the amount and sources of candidate's income, as well as information on the candidate's property on the basis of ownership reveal that, it was defined while examining the documents on amount and sources of candidate's income, also information on his property on the basis of ownership (including general ownership) submitted by the candidate O.A.Kazimov in accordance with the requirements of Articles # 58.1.4 and

58.1.5 of Election Code that, he did not give the correct information on his property. Thus, he did not mention 4 cars belonging to him on the basis of general ownership.

O.A.Kazimov violated the requirements of Articles # 58.1.5 and 60.2.3 due to incorrect information on property in the election documents, and there was a legal basis on refusal to register his candidacy.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 14/27 of Fuzuli Con.EC # 84, dated October 7, 2015 on the refusal from registering the candidacy of O.A.Kazimov shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 58, 60, 112, 112-1 of Election Code of the Republic of Azerbaijan and item # 1,2,4,6 and 7 of the "Instruction on the rules for submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions", the Central Election Commission **decides**:

1. The appeal # 66 submitted by Kazimov Osman Alishirin, nominated by Musavat Party on Fuzuli Con.EC # 84 on October 9, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall not be implemented due to groundlessness and the decision # 14/27 of that Con.EC dated October 7, 2015 shall be remained in force without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov