

## **DECISION**

### **of Central Election Commission of the Republic of Azerbaijan**

**on consideration of the appeal # 35 submitted to the Central Election Commission on October 6, 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 6, 2015, Hajizada Novruz Khudadat, nominated on his own initiative on Astara Con.EC # 77 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 the applicant informed that his candidacy had been nominated on own initiative on Astara Con.EC # 77 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, but the Con.EC refused from registering his candidacy without any grounds.

The Con.EC substantiated its decision on the refusal from registering nominee N.Kh.Hajizada on the grounds that the number of valid voters’ signatures to register the candidate had not been sufficient.

During the investigation process the candidate N.Kh.Hajizada were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, but he informed that it was not possible for a respectful reason.

During the investigation process was defined that, 100 voters’ signatures out of 152 submitted by candidate and challenged by the Con.EC, collected with violence on the basis of Article # 57.1 of Election Code and were considered invalid.

During the investigation the claim on collecting 100 voters’ signatures with violence of Article # 57.1 of Election Code was not justified. At the same time, it was defined after examination of Working Group under the Central Election Commission that 30 voters’ signatures out of 52 were collected in accordance with the requirements of the Election Code.

Thus, 478 voters' signatures submitted by candidate are considered valid and it is sufficient to register him as a candidate.

Pursuant to Article # 147.1 of Election Code of the Republic of Azerbaijan, at least 450 voters' signatures shall be collected in support of the candidate within the constituency the candidate has been nominated on.

Basing on the above-mentioned, the complaint shall be implemented due to grounded factors and the decision # 16/56 of Astara Con.EC # 77, dated September 30, 2015 on the refusal from registering the candidacy of N.Kh.Hajizada shall be annulled and he shall be registered as a candidate.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 28.4, 56, 59, 60, 112, 112-1, 147.1 and 148 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 # 35 submitted by Hajizada Novruz Khudadat, nominated on his own initiative on Astara Con.EC # 77 on October 6, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall be implemented due to grounded factors and the decision # 16/56 of that Con.EC dated September 30, 2015 shall be annulled.
2. Hajizada Novruz Khudadat, nominated on his own initiative on Astara Con.EC # 77 shall be registered as a candidate on that election constituency.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov