

## DECISION

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

#### on consideration of the appeals # 8050 and # 8051 submitted to the Central Election Commission on October 29, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015

In their written apply addressed to the Central Election Commission on October 29, 2015, G.Q.Aslanli, the authorized representative and A.M.Hajili, the chairman of Musavat Party informed that party's participation in elections was suspended, the decision on refusal from candidacy of registered candidates putting their own discretion was adopted and asked for creating conditions for adoption of appeals on refusal from candidacy status of registered candidates by the Con.EC, and to call elections postponed for 4 months.

Basing on the below-mentioned, the complaints shall not be implemented due to groundlessness. Thus, pursuant to Article # 154.1 of Election Code of the Republic of Azerbaijan, a political party according to its Charter, and a bloc of political parties according to a decision of the authorized representatives of its parties, shall be entitled to withdraw a candidate and registered candidate nominated in a single-mandate constituency upon written application at any time within at least 10 days prior to Voting Day.

As it seen, Musavat Party followed neither the rules for refusal from elections, nor the timing of such a rejection according to legislation. Thus, party should adopt the decision on refusal from participation in elections at least 10 days prior to Voting Day, but they did it 3 days prior to Voting Day, also did not follow the requirements of legislation issuing discretion of candidates, although appeal to the Con.EC on withdraw of candidates should be done directly by themselves.

When it comes to the issue of postponement the elections for a term of 4 months should be noted that the possibility of postponement the elections for a claiming term was not considered in the election law. Pursuant to Article # 149 of Election Code, if none of the candidates or only one candidate has been registered in a single-mandate constituency during the period prescribed by law elections in the relevant constituency shall be postponed for 2 months, with the purpose of allowing for the nomination of additional candidates to conduct election activities, if none of the registered candidates or only one registered candidate remains in an election constituency till Voting Day, elections in the constituency shall be postponed for not more than 3 months.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 149, 154.1 of Election Code of the Republic of Azerbaijan the Central Election Commission **decides**:

1. The appeal # 8050 submitted by G.Q.Aslanli, the authorized representative of Musavat Party on October 29, 2015 and # 8051 submitted by A.M.Hajili, the

chairman of Musavat Party on October 29, 2015 shall not be implemented due to groundlessness.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov

CEC members