

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 60 submitted to the Central Election Commission on October 8, 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 8, 2015, Asgarov Azer Abulfaz, nominated by Musavat Party on Jalilabad Con.EC # 67 challenged the decision of the Con.EC on refusal to register his candidacy and requested for the annul of the 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 A.A.Asgarov informed that his candidacy had been nominated by Musavat Party on Jalilabad Con.EC # 67 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 decision # 19/71 of the Con.EC on refusal to register candidacy of A.A.Asgarov, dated October 5, 2015, was based on incorrect information included to the election documents, referring to the Articles # 58.1.5 and 60.2.2 of Election Code. Thus, the information on 2,71 hec. agricultural land in the joint ownership with 5 family members was not included by him.

During the investigation process the candidate were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session. He informed that he defended his application and could not attend the session for a respectful reason. At the same time he noted that he committed inattention while compiling information on property. The participation of the authorized representative of Musavat Party in the session was provided.

During the investigation process the opinion dated October 9, 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 submitted by the candidate A.A.Asgarov 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 include information on 2,71 hec. (The State Act on the right to land ownership JN-0136, code 80624038) agricultural land in the joint ownership with family members registered in the state registration of real estate, within the territory of Abishabad village, Jalilabad.

A.A.Asgarov violated the requirements of Articles # 58.1.5 and 60.2.2 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 Working Group under the Central Election Commission did not need to examine voters' signatures considered invalid by the Con.EC.

Incorrect formalizing or absence of documents mentioned in Articles # 57 and 58 of Article # 60.2.2 of Election Code of the Republic of Azerbaijan was mentioned in the row of grounds on refusal to register a candidate.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 19/71 of Jalilabad Con.EC # 67, dated October 5, 2015 on the refusal from registering the candidacy 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 # 60 submitted by Asgarov Azer Abulfaz, nominated by Musavat Party on Jalilabad Con.EC # 67 on October 8, 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 # 19/71 of that Con.EC dated October 5, 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