

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeals # 07 and 08 submitted to the Central Election Commission on May 24, 2016 in the repeat Elections to the Milli Majlis of the Republic of Azerbaijan on Aghdash Con.EC # 90, appointed to June 18, 2016

In their written appeals addressed to the Central Election Commission on May 24, 2016, Rafail Ali Taghizadeh and Anvar Serdar Aghazadeh, authorized representative of Azerbaijan Hope Party in the repeat Elections to the Milli Majlis of the Republic of Azerbaijan on Aghdash Con.EC # 90, appointed to June 18, 2016 claimed on the groundlessness of the Con.EC decision # 11/36, dated May 14, 2016 and upon arguing the inaction of the Con.EC concerning the appeal filed to that commission, requested to undertake relevant measures on the persons who had violated the law.

The complaints were summarized in one 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.

During the investigation process, the authorized representatives were contacted and informed on his rights to submit additional documents and materials, also to participate in the investigation and session. The participation of A.S.Aghazadeh at the session was provided. R.A.Taghizadeh informed on the lack of any evidence, document or material including the claimed law violations and although A.S.Aghazadeh told that he would present the documents ad materials belonging to him, he did not participate at the investigation.

The authorized representatives R.A.Taghizadeh and A.S.Aghazadeh informed in their appeals that the persons collecting signatures in support of Iqbal Fehrux Aghazadeh, nominee by the Hope Party in the repeat Elections to the Milli Majlis of the Republic of Azerbaijan on Aghdash Con.EC # 90 had been pressured by the local executive representative of Dahnakhilil village in Aghdash region and the chair of the municipality and council in that village, a group of people instructed especially had committed illegal actions by means of the cars with different serial numbers towards the people collecting signatures in 20 January, N.Narimanov, S.Vurghun streets of Aghdash city on May 6, 2016, the people who had signed in support of the candidate were humiliated, the electoral rights of the citizens were offended and not any measure was undertaken related the appeal on the above-mentioned violations filed to the Con.EC.

It was determined through the investigation that authorized representatives of the Hope Party – on May 7 and 12, 2016 A.S.Aghazadeh and on May 12, 2016 R.A.Taghizadeh appealed to the Con.EC on the commitment of illegal actions towards the people collecting signatures in support of I.F.Agha-zadeh, the commission investigated the appeals thoroughly within a manner and period defined by law, the appeals were not implemented upon regarding groundless due to the failure of justification during the investigation and decisions # 8/27, dated May 9, 2016 and # 11/36, dated May 14, 2016 were adopted on them.

In order to investigate law violations that were claimed in the above mentioned appeals by the Con.EC comprehensively all necessary affidavits, references and other documents were obtained, participation of authorized representatives of Umid Party was provided and during the investigation conducted in accordance with legislation it was concluded correctly on refusal to implement the appeal due to the groundlessness. Thus, the challenged decision of the Con.EC shall be remained in force without making amendments.

It was defined by the investigation that, claims on not consideration of appeals indicated as inaction of Aghdash Con.EC # 90 are groundlessness.

Besides, during the investigation claims on humiliation of people who signed in support of the candidate were not justified. Thus, any evidence, material or document was not submitted by plaintiffs, at the same time verbal and written appeal was not received by Con.EC and CEC.

According to the above-mentioned, the appeals shall not be implemented due to the groundlessness, the decision #11/36 of Aghdash Con.EC # 90, dated May 14, 2016 shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 112 and 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 appeals # 07 and # 08 submitted by Rafail Ali Taghizadeh and Anvar Serdar Aghazadeh, authorized representative of Azerbaijan Hope Party on May 24, 2016 in the repeat Elections to the Milli Majlis of the Republic of Azerbaijan on Aghdash Con.EC # 90 shall not be implemented due to the groundlessness and the decision # 11/36 of that Con.EC dated May 14, 2016 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