

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 62, 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, Atakishiyev Rovshan Atakishi, nominated by Musavat Party on Shusha-Agdam-Khojaly-Khojavend Con.EC # 124 challenged the decision of the Con.EC on refusal to register his candidacy, requested for the annul of the relevant decision and register him as a candidate.

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 R.A.Atakishiyev informed that his candidacy had been nominated by Musavat Party on Shusha-Agdam-Khojaly-Khojavend Con.EC # 124 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 R.A.Atakishiyev on the grounds that the number of valid voters' signatures to register the candidate had not been sufficient.

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, but he informed that could not attend the session for a respectful reason, the authorized representative of Musavat Party would participate in the investigation and session. The participation of the authorized representative of Musavat Party in the investigation and session of the Central Election Commission was provided.

During the investigation process was defined that 30 signatures were collected from voters whose names were not on voters' lists of Shusha-Agdam-Khojaly-Khojavend Con.EC # 124.

The protocol and opinions compiled by the Working Group under the Central Election Commission reveal that, the number of valid signatures was 421. Thus, the number of

valid voters' signatures to register the candidate had not been sufficient and R.A.Atakishiyev shall not be registered as a candidate.

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

Pursuant to Article # 59.12 of Election Code, since the number of valid signatures submitted for registration of R.A.Atakishiyev is less than the number of signatures required, the candidate shall not be registered.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 9/23 of Shusha-Agdam-Khojaly-Khojavend Con.EC # 124, dated October 7, 2015 on the refusal from registering the candidacy of R.A.Atakishiyev shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59.12, 60, 112, 112-1, 147, 148.1 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 # 62 submitted by Atakishiyev Rovshan Atakishi, nominated by Musavat Party on Shusha-Agdam-Khojaly-Khojavend Con.EC # 124 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 # 9/23 of that Con.EC dated October 7, 2015 shall be remained in force.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov