

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 88 submitted to the Central Election Commission on October 11, 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 11, 2015, Huseynov Akif Isa, nominated by "AZADLIG-2015" bloc of political parties on Nizami second (Ganja) Con.EC # 38 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 A.I.Huseynov informed that his candidacy had been nominated on Nizami second (Ganja) Con.EC # 38 by "AZADLIG-2015" bloc of political parties 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 did not inform him on verification of signatures, his participation in that process was not provided, consequently registration of his candidacy was refused on the grounds of lack of sufficient valid signatures.

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, his participation in the session of commission was provided. The candidate refused to submit other documents as a basis for additional documents to the Expert Group member.

The claim of the applicant on not being invited to participate in the meeting of Con.EC was not justified.

The Con.EC substantiated its argued decision # 15/36 dated on October 7, 2015, on the refusal from registering the candidacy of A.I.Huseynov on the grounds that submitted 15 voters who have provided to 550 voters' signatures were not related to the dislocation of that Con.EC, 3 of voters did not live in the mentioned address, 1 signature was given by a person without the right to vote, 4 voters' signatures were signatures which the amendment was not approved, as well as 96 voters had appealed to the Con.EC and informed that they had provided signatures as a result of betrayal and requested to

consider them invalid, after invalid signatures were excluded, the remaining valid signatures were not sufficient for the candidate's registration.

As a result of investigation it was considered that, excluding signature was given by a person without the right to vote, 14 voters' signatures that were not collected from Con.EC territory and 96 signatures considered invalid on the basis of voters' appeals, other signatures considered invalid by the Con.EC were considered valid in favor of candidate. Since after taking into account those signatures 439 voters' signatures considered valid had not been sufficient, the basis for implementation of appeal was not appeared.

During the investigation process was defined that, the Con.EC had a correct conclusion on refusal to register A.I.Huseynov as a candidate by referring to the relevant articles of Election Code with the above-mentioned grounds.

Pursuant to Article 113.1.1 of the Election Code, the election commission shall refuse from registering the candidate when the information submitted by them is not accurate or their invalidity is of great importance (excluding the cases implied by Article 60.3 of the Election Code).

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 not be implemented due to groundlessness and the decision # 15/36 of Nizami second (Ganja) Con.EC # 38, dated October 7, 2015 shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 112, 112-1, 113.1.1, 147.1 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 # 88 submitted by Huseynov Akif Isa, nominated by "AZADLIG-2015" bloc of political parties on Nizami second (Ganja) Con.EC # 38 on October 11, 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 # 15/36 of that Con.EC dated October 7, 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