

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 40, submitted to the Central Election Commission on October 6, 2015 and the appeal # 54 submitted to the Central Election Commission on October 7, 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 6, 2015, Abil Beybala Alibala, the authorized representative of "AZADLIG-2015" bloc of political parties challenged the decision of the Con.EC on refusal to register Fattayev Mirmahmud Mirali, nominated on Sumgayit third Con.EC # 43, as a candidate and requested for the annul of the relevant decision.

In his written apply addressed to the Central Election Commission on October 7, 2015, the authorized representative of Babayev Mukhtar Bahadur, registered on Sumgayit third Con.EC # 43 Ansarov Vazirkhan Nabi requested re-verification of signature sheets and other necessary documents attached to them submitted in support of the candidacy of Fattayev Mirmahmud Mirali on the ground of superficial investigation of circumstances which prevented his registration and not estimated properly, and re-estimate the issue.

The complaints were 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", due to concerning essentially to the same issue were investigated as joint proceedings, 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 the authorized representative B.A.Abil informed that M.M. Fattayev had been nominated by "AZADLIG-2015" bloc of political parties on Sumgayit third Con.EC # 43 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, 11 signature sheets consisting of 550 signatures 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 the candidacy of M.M. Fattayev upon its decision # 20/57, on October 3, 2015 without any grounds.

During the investigation process the applicants were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, only the authorized representative of bloc of political parties B.A.Abil participated in the investigation and session of the Central Election Commission, by using this right.

The Con.EC substantiated its decision on the refusal from registering nominee M.M. Fattayev on the grounds that the number of valid voters' signatures to register the candidate had not been sufficient.

On the basis of the applicants' requests, signature sheets and other election documents submitted for the registration of candidate reinvestigated at the Central Election Commission.

It was determined through examining that, since the result of investigation of documents and information submitted for the registration of candidate was mainly correct, some mistakes were made by the Con.EC while evaluating the validity of signatures.

The protocol and opinions dated October 7, 2015, compiled by the Working Group under the Central Election Commission upon the examination of the necessary documents for the registration of the candidate reveal that 421 voters' signatures out of 550 submitted for the registration of M.M. Fattayev were considered valid.

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.

During the investigation process was also defined that, the candidate or authorized representatives were not provided with the documents to be submitted by applicant, the claims on not being invited to the investigation and session were disproved by the evidences submitted by the Con.EC.

Thus, in spite of the Con.EC did not reflect accurately all the circumstances and procedures in its decision, had a correct conclusion on refusal to register M.M. Fattayev as a candidate with the grounds.

Basing on the above-mentioned, the complaint of the authorized representative of "AZADLIG-2015" bloc of political parties B.A.Abil shall not be implemented due to groundlessness and the decision # 20/57 of Sumgayit third Con.EC # 43, dated October 3, 2015 on the refusal from registering the candidacy of M.M. Fattayev shall be remained in force without making amendments.

The appeal #54 submitted by the authorized representative of M.B.Babayev, registered on Sumgayit third Con.EC # 43 V.N.Ansarov on October 7, 2015 shall be implemented.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 112, 112-1, 147 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 # 40 submitted by Abil Beybala Alibala, the authorized representative of "AZADLIG-2015" bloc of political parties on October 6, 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 # 20/57 of Sumgayit third Con.EC # 43 dated October 3, 2015 shall be remained in force.

2. The appeal # 54 submitted by the authorized representative of Babayev Mukhtar Bahadur, registered on Sumgayit third Con.EC # 43 Ansarov Vazirkhan Nabi on October 7, 2015 shall be implemented.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov