

DECISION

**of Central Election Commission of the Republic of Azerbaijan
on consideration of the appeal # 68 submitted to the Central Election Commission
on October 9, 2015 and appeals # 80, 83, 85, 86 submitted on October 10, 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 9, 2015, Ahad Farhad Mammadli nominated to deputy on his own initiative on Khatai second Con.EC # 34 challenged the decision of Con.EC on refusal to register as a candidate and requested to cancel the same decision and register him as a candidate on the same Con.EC in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015.

Jalal Agharza Ibrahimov, Nijat Arrahman Gasimzada, Mahir Huseyn Jafarov registered as candidates to deputy on the same Con.EC and Aliyar Dunyamali Sadikhov, the authorized representative of Elchin Ibad Gurbanov, separately made written apply to Central Election Commission on October 10, 2015, claimed that signature sheets of candidate to deputy, Ahad Farhad Mammadli and other election documents attached to them were examined and as a result of the above-mentioned, there is probability for registration him as a candidate, requested to check the same documents more seriously.

The appeals 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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration", 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.

The candidate A.F.Mammadli noted in his appeal that, he was nominated on his own initiative on Khatai second Con.EC # 34 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, collecting 550 voters' signatures in the territory of the same constituency, he submitted to the Con.EC signature sheets and

other important documents attached to it, but Con.EC did not give information to him on checking of signatures, his participation in examining of signatures was not ensured, he could not take part in session by the reason of that the information on session was not given at proper time, at the result, 113 voters' signatures were considered to be invalid for some reasons and thus being groundless, registration of his candidacy was rejected.

During investigation, it was kept in touch with candidate nominated to deputy and he was informed on his rights to submit additional documents and materials, take part in meeting and investigation, his participation in session was ensured. He admitted that he participated in session of Con.EC and indicated that the copy of the decision was not submitted to him on the same day.

In connection with investigation, act, dated October 7, 2015 and reference, dated October 10, 2015 submitted by Con.EC are defined that candidate to deputy, A.F. Mammadli was invited to session, take part in session but on the same day he refused to take protocol and opinion of the working group as well as the copy of the decision on rejection for registration him as a candidate.

In protocols and opinions, dated October 10, 2015, compiled by the working group under CEC, as a result of checking the necessary documents for the registration of a candidate it seems that, 157 of 550 voters' signatures in 11 signature sheets submitted by A.F.Mammadli for his registration as a candidate are considered to be invalid. The number of the rest valid signatures was not enough for the registration of a candidate. Thus, the challenged decision of the Con.EC on refusal to register him as a candidate shall be considered to be valid.

During conducted investigation it was defined that decision of Con.EC was complied with some faults but all investigated cases and basis were reflected in its decision and it made right conclusion in connection with rejection for registration of A.F.Mammadli as a candidate to deputy and basis for canceling of the same decision was determined.

Pursuant to Article 147.1 of Election Code of the Republic of Azerbaijan at least 450 voters' signatures should be collected in support of a candidate within the territory of the constituency for which he/she has been nominated.

Pursuant to the mentioned, complaint of candidate to deputy, A.F. Mammadli being invalid shall not be implemented; decision # 16, dated October 7, 2015, on Khatai second Con.EC # 34 shall be kept in force without being amended, the appeals of J.A. Ibrahimov, N.A. Gasimzada, M.H. Jafarov registered as candidates to deputy on the same Con.EC and A.D. Sadikhov, the authorized representative of E.I. Gurbanov shall be considered to be implemented.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60, 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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration" the Central Election Commission decides:

1. The appeal # 68 of Ahad Farhad Mammadli nominated to deputy on its own initiative on Khatai second Con.EC # 34, on October 9, 2015, being invalid shall not be implemented, the decision # 16 of the Con.EC, dated October 7, 2015 shall be kept in force without being amended.

2. The appeals # 80, 83, 85, 86 (dated October 10, 2015) of Jalal Agharza Ibrahimov, Nijat Arrahman Gasimzada, Mahir Huseyn Jafarov registered as candidates to deputy on the same Con.EC and, Aliyar Dunyamali Sadikhov, the authorized representative of a registered candidate, Elchin Ibad Gurbanov, on the same Con.EC, registered as a candidate in the same Con.EC, shall be considered to be implemented.

3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Deputy Chairman

Natig Mammadov

CEC Secretary

Arifa Mukhtarova