

DECISION

of Central Election Commission of the Republic of Azerbaijan

**on consideration of the appeal # 90 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**

The authorized representative of "AZADLIG-2015" bloc of political parties Akif Isa Huseynov, made written apply addressed to the Central Election Commission on October 11, 2015 and challenged the decision of Con.EC on refusal to register Nizami Yagub Abdurrazakov, nominated on the same bloc of political parties on Oghuz-Gabala Con.EC # 117 as a candidate and requested to cancel the same decision and to register him as a candidate to deputy in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015.

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 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 authorized representative A.I.Huseynov noted in his appeal that, N.Y.Abdurrazakov nominated on "AZADLIG-2015" bloc of political parties on Oghuz-Gabala Con.EC # 117 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, collecting signatures of voters in the territory of the same constituency, signature sheets and other important documents attached to it was submitted to the Con.EC, but Con.EC did not give him information on examining of voters' signatures, during the process of signature checking their participation was not ensured, at the result, being invalid, it was refused to register N.Y. Abdurrazakov as a candidate.

The authorized representative, A.I. Huseynov participated in session of Central Election Commission, but refused to take part in discussions in connection with his appeal.

Con.EC substantiated the decision # 117/94, dated October 7, 2015, on rejection for nomination of the candidacy of N.Y. Abdurrazakov nominated on "AZADLIG-2015" bloc of political parties, basing on the fact that the number of valid voters' signatures was not enough. So, 532 voters' signatures were submitted by candidate, but 85 of these voters in their written apply addressed to Con.EC indicated that during the process of giving signatures they were deceived and did not know that the same signatures were for the support of applicant, 61 voters' signatures were considered to be invalid. At the result, 146 voters' signatures were considered to be invalid, for that reason, the number of valid signatures was not enough for the registration of a candidate.

During investigation it was defined that for the registration of a candidate on behalf of a candidate, it was submitted 532 voters' signatures in 11 signature sheets but 85 voters making written apply to the Constituency Election Commission showed that they were cheated in process of giving signatures and they did not know that the same signatures were for the support of candidate to deputy. During investigation, carried out in Central Election Commission the same voters confirmed the fact of applying to Con.EC with application on considered invalid signatures.

Pursuant to the Article 113.1.1 of Election Code, the election commission can refuse registration of a candidate if the information they submit according to this Code is not true or their invalidity is of great importance (except the cases mentioned in Article 60.3 of this Code).

Con.EC examined 61 voters' signatures and thus, they considered to be invalid. At the result of the above-mentioned, protocols and opinions, dated October 12, 2015, compiled by working group under Central Election Commission confirmed that the same 19 voters' signatures are invalid.

Decision of Con.EC on refusal to register him as a candidate shall be considered to be valid for the following reasons: 532 signatures were submitted by candidate for the registration of his candidacy but according to the above mentioned basis 104 of these signatures are considered to be invalid. Thus, the rest of 428 signatures were not enough for the registration of a candidate.

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 being invalid shall not be implemented; decision # 117/94, dated October 7, 2015 on refusal to register candidacy on Oghuz-Gabala Con.EC # 117 shall be kept in force without being amended.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60.2.4 112, 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 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 # 90, submitted by authorized representative of "AZADLIG-2015" bloc of political parties Akif Isa Huseynov on October 11, 2015, being invalid, shall not be implemented and the decision # 117/94 of the Con.EC, dated October 7, 2015, shall be kept in force without being amended.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Deputy Chairman

Natig Mammadov

CEC Secretary

Arifa Mukhtarova