

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 39 submitted to the Central Election Commission on October 6, 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, Hasanov Mahammad Mami, nominated on own initiative on Fuzuli Con.EC # 84 challenged the decision of the Con.EC on refusal to register his candidacy and requested for the redress of his violated rights upon making a relevant decision.

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 M.M.Hasanov informed that his candidacy had been nominated on own initiative on Fuzuli Con.EC # 84 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.

During the investigation process the applicant were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session.

The Con.EC substantiated its decision on the refusal from registering nominee M.M.Hasanov on the grounds that the number of valid voters' signatures to register the candidate had not been sufficient, meanwhile, the information included in the documents on the candidate's income had not been accurate.

The protocol and opinions compiled by the Working Group under the Central Election Commission reveal that submitted 113 voters' signatures out of 550 were considered invalid. Thus, the number of valid voters' signatures to register the candidate had not been sufficient and there were not the grounds to register him.

At the same time, submitted signature sheets for registration in the Con.EC with relevant document contains information on the amount and sources of income by M.M.Hasanov had not been accurate.

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.

Pursuant to Article # 59.12 of Election Code, since the number of valid signatures submitted for registration of M.M.Hasanov 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 # 13/26 of Fuzuli Con.EC # 84, dated October 5, 2015 on the refusal from registering the candidacy of M.M.Hasanov shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59.7.4, 59.12, 60, 112, 112-1, 147, 148.1of 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 # 39 submitted by Hasanov Mahammad Mami, nominated on own initiative on Fuzuli Con.EC # 84 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 # 13/26 of that Con.EC dated October 5, 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