

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 20 submitted to the Central Election Commission on September 30, 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 September 30, 2015, Taryel Fazil Valiyev, nominated on his own initiative on Jabrayil-Gubadli Con.EC # 120 challenged the decision of Con.EC on refusal to register his candidacy and requested to make a relevant decision on restoration of the offended rights.

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 his appeal candidate T.F.Valiyev informed that he had been nominated on own initiative on Jabrayil-Gubadli Con.EC # 120 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.

The Con.EC justified the decision on the refusal to register T.F.Valiyev, nominated to deputy as a candidate that there had not been a sufficient number of valid signatures of voters for the registration of candidate.

During the investigation process the applicant was contacted with, informed on the right to submit additional documents and materials, to participate in the investigation and session, was provided with participation in the investigation and session.

During the investigation of the working group under CEC, it seems from the protocol and opinions that, 102 signatures were considered valid and 125 signatures were considered invalid in the examination process of 227 voters' signatures considered invalid by the Con.EC.

Pursuant to Article # 147.1 of Election Code of the Republic of Azerbaijan, at least 450 signatures of the voters within the constituency shall be collected in support of the candidate.

It was determined basing on the foregoing, the number of valid signatures submitted by T.F.Valiyev for the registration of candidate was less than specified by the Election Code and he should not register as a candidate due to the Article # 59.12 of the Election Code.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 17/43 of Jabrayil-Gubadli Con.EC # 120, dated September 27, 2015 on the refusal from registering the candidacy shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59.12, 60, 112, 112-1, 147, 148.1 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 # 20 submitted by Taryel Fazil Valiyev, nominated on his own initiative on Jabrayil-Gubadli Con.EC # 120 on September 30, 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 # 17/43 of that Con.EC dated September 27, 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