

## **DECISION**

### **of Central Election Commission of the Republic of Azerbaijan**

#### **on consideration of the appeal # 12, submitted to the Central Election Commission on September 26, 2015 and the appeal # 82 submitted to the Central Election Commission 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, Asadov Kamran Alim, nominated on own initiative on Neftchala Con.EC # 61 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.

In his written apply addressed to the Central Election Commission on October 10, 2015, Salimov Aghagul Saleh, a candidate registered on that election constituency, claiming on violations by the Con.EC in the examination process of signature sheets and other necessary documents attached to them submitted in support of candidacy of K.A.Asadov, asked for taking appropriate action.

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”, 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 nominee K.A.Asadov informed that his candidacy had been nominated on own initiative on Neftchala Con.EC # 61 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 participation of the candidate K.A.Asadov in the session of Commission was ensured.

During the investigation process the registered candidate A.S.Salimov were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, he informed that defended his application and could not attend the session for a respectful reason.

The decision #10/28 of the Con.EC on refusal to register candidacy of K.A.Asadov, nominated on own initiative, dated September 22, 2015, was based on Article 60.2.4 of Election Code.

The protocol and opinions dated October 10, 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 the 419 voters' signatures out of 550 included in 11 signature sheets submitted for the registration of K.A.Asadov were considered valid. The number of valid voters' signatures to register the candidate had not been sufficient and the challenged decision of the Con.EC should be considered grounded.

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 # 60.2.4 of Election Code of the Republic of Azerbaijan, if the number of submitted valid (correct) voters' signatures presented in support of a candidate is less than required, it is a ground for refusal of registration.

Basing on the above-mentioned, the complaint of the candidate K.A.Asadov shall not be implemented due to groundlessness, the decision # 10/28 of Neftchala Con.EC # 61, dated September 22, 2015 on the refusal from registering the candidacy shall be remained in force without making amendments, and the complaint of the candidate A.S.Salimov shall be implemented.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60, 112, 112-1, 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 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 # 12 submitted by Asadov Kamran Alim, nominated on own initiative on Neftchala Con.EC # 61 on September 26, 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 # 10/28 of that Con.EC dated September 22, 2015 shall be remained in force without making amendments.
2. The appeal # 82 submitted by the registered candidate Salimov Aghagul Saleh on Neftchala Con.EC # 61 on October 10, 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