

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 75 submitted to the Central Election Commission on October 9, 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, Agharzayev Karim Rasim, nominated on his own initiative on Salyan-Neftchala Con.EC # 60 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 the candidate K.R.Agharzayev informed that his candidacy had been nominated on Salyan-Neftchala Con.EC # 60 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 substantiated its decision on the refusal from registering the candidacy of K.R.Agharzayev on the grounds that Articles # 58.1.4 and 58.1.5 of Election Code were violated while submitting signature sheets and other necessary documents attached to them by the candidate.

During the investigation process the candidate K.R.Agharzayev was contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session.

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 candidate obtained income from work, but hid information on the amount and resources of his income, the property belonging to him on the basis of ownership and did not include correct information to the election documents.

Pursuant to Article # 60.2.3 of Election Code, the candidate shall be refused to register as a candidate due to inaccurate information included to the election document.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 22/50 of Salyan-Neftchala Con.EC # 60, dated October 6, 2015 on the refusal from registering the candidacy of K.R.Agharzayev shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 58.1.4, 58.1.5, 60.2.3, 112, 112-1, 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 # 75 submitted by Agharzayev Karim Rasim, nominated on his own initiative on Salyan-Neftchala Con.EC # 60 on October 9, 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 # 22/50 of that Con.EC dated October 6, 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