

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 104 submitted to the Central Election Commission on October 23, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015

In her written apply addressed to the Central Election Commission on October 23, 2015, Imranova Aytakin Kapitan, nominated by "AZADLIG-2015" bloc of political parties on Zardab-Ujar Con.EC # 92 challenged the decision of the Con.EC on refusal to register her candidacy and requested for the redress of her 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 A.K.Imranova informed that her candidacy had been nominated by "AZADLIG-2015" bloc of political parties on Zardab-Ujar Con.EC # 92 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 A.K.Imranova on the grounds that 375 voters' signatures out of 520 submitted by candidate were valid and the number of valid signatures had not been sufficient for the candidate's registration.

During the investigation process the candidate was contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, her participation in the investigation and session of the Central Election Commission was provided.

During the investigation process was defined that, 21 voters who have provided to 520 voters' signatures refused from their signatures and had appealed to the Con.EC on consideration invalidity of their signatures. Also 5 of voters' names were not on voters' lists of that Con.EC and did not live within the territory of the Con.EC.

The protocol and opinion dated October 24, 2015, compiled by the Working Group under the Central Election Commission upon the examination of signatures considered

invalid by the Con.EC reveal that, 72 signatures out of those voters' signatures were invalid.

Basing on the above-mentioned, 422 voters' signatures out of 520 submitted for registration of A.K.Imranova as a candidate were considered valid, the number of valid signatures were not sufficient for the candidate's registration, the argued decision of the Con.EC on refusal to register her candidacy shall be considered grounded.

Pursuant to Article 113.1.1 of the Election Code, the election commission shall refuse from registering the candidate when the information submitted by them is not accurate or their invalidity is of great importance (excluding the cases implied by Article 60.3 of the Election Code).

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.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 18/58 of Zardab-Ujar Con.EC # 92, dated October 8, 2015 shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 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 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 # 104 submitted by Imranova Aytakin Kapitan, nominated by "AZADLIG-2015" bloc of political parties on Zardab-Ujar Con.EC # 92 on October 23, 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 # 18/58 of that Con.EC dated October 8, 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