

OPINION

of Ms.Irada Hajjiyeva, member of Expert Group under CEC to investigate the complaints against actions (inactions) and decisions violating citizens' election rights in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015

on the appeal 14 submitted to CEC on September 26, 2015

Baku

26 September 2015

In his written apply addressed to the Central Election Commission on September 26, 2015, the authorized representative of Umid Party Igbal Fehrüz Aga-zada challenged the decision of Con.EC on refusal to register Anar Rafig İsayev from Beylagan Con.EC # 81 as a candidate and requested to make a relevant decision on redress of the offended rights of a candidate. Having investigated the appeal as a member of Expert Group, Irada Hajjiyeva, I have determined that:

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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration", 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.

The authorized representative I.F. Aga-zada noted in his appeal that, A.R.Isayev was nominated by Umid Party on Beylagan Con.EC # 81 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, submitted signature sheets with collected signatures of voters in this constituency and other necessary documents to the Con.EC, but it was unreasonably refused to register his candidacy due to the relevant decision of Con.EC.

The Con.EC justified the decision on the refusal to register A.R.Isayev, 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 of the working group under CEC, it seems from the protocol compiled as a result of checking the necessary documents for the registration of candidate dated on September 27, 2015 and opinions that, submitted signature sheets by A.R.Isayev with signatures of voters were collected according to the rules of Election Code. Thus, 483 voters' signatures collected by candidate were considered valid and it is enough for registration of a candidate.

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.

Based on the foregoing, the complaint is substantiated and should be implemented, the decision # 12/29 on refusal to register A.R.Isayev as a candidate adopted by Beylagan

Con.EC # 81 on September 24, 2015 shall be cancelled and he shall be registered as a candidate in that Con.EC.

Taking the above mentioned as a basis, pursuant to Articles 59, 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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration”, **I have determined that:**

1. The appeal # 14 submitted by authorized representative of Umid Party Igbal Fehruz Aga-zada on September 26, 2015 shall be implemented and the decision # 12/29 adopted by Beylagan Con.EC # 81 on September 24, 2015 shall be cancelled.
2. Anar Rafiq İsayev nominated by Umid Party on Beylagan Con.EC # 81 shall be registered as a candidate.
3. The opinion shall be published no later than 18 hours upon its adoption (shall be posted on the website) and its copy shall be sent to the applicant.

Expert Group member

Irada Hajiyeva