

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 21 submitted to the Central Election Commission on January 15, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020

In his written apply addressed to the Central Election Commission on January 15, 2020, MammadovRzaghalsmayil, self-nominee to deputy on Binagadi first Con.EC # 8 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision# 9/5 of Binagadi first Con.EC # 8, dated January 14, 2020 on the refusal to register him as a candidate and therefore, requested to restore his offended rights upon the adoption of 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 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.

Candidate R.I.Mammadov informed in his appeal that his nomination was put forward on own initiative on Binagadi first Con.EC # 8 and signature sheets upon collecting signatures within the election constituency and other attached documents were submitted to the Con.EC in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, but , butas he had not provided the information on the property belonging to him based on the right to property in the information on property, by the argued decision, the Constituency Election Commission refused to register him as a candidate.

During the investigation process the plaintiff was contacted with, informed on his rights to take part at the investigation and session, his participation was ensured at the Commissions session.

The constituency election commission substantiated R.I.Mammadov's decision to refuse to register as a candidate by not showing candidate's real estate on the basis of the right to property.

The documents submitted for registration of the candidacy by the candidate R.I. Mammadov were submitted to the Working Group under the Central Election Commission for verification. A Working Group opinion dated January 16, 2020 shows that the real estate belonging to the candidate R.I. Mammadov has not been specified in the information on property as to the reference provided by the State Register Service of Real Estate, but the real estate has been found to be registered by the state.

Failure of candidate R.I. Mammadov to submit to the Con.EC the accurate information about the real estate provided a legal basis for refusal to register his candidacy in accordance with Article 60.2.3 of the Election Code.

Thus, based on the results of the investigation, the complaint shall not be implemented, the decision# 9/5dated January 14, 2020 of the Constituency Election Commission on refusal of registration of R.I.Mammadov as a candidate shallnot be annulled.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 112, 112-1, 148 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” the Central Election Commission decides:

1. The appeal # 21 submitted by to the Central Election Commission on January 15, 2020 by MammadovRzaghalsmayil,self-nominee to deputy on Binagadi first Con.EC # 8in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall not be implementeddue to groundlessness and the Con.EC decision # 9/5on refusal to register him as a candidate adopted on January 14, 2020 shall beremained enforced without making amendments.
2. The decision shall be enforced upon its publication

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov