

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 52 submitted to the Central Election Commission on October 7, 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 7, 2015, Ulduz Ismixan Guliyeva nominated to deputy on her own initiative on Zangilan-Gubadli Con.EC # 125 challenged the decision of Con.EC on refusal to register as a candidate and requested to cancel the same decision and register her as a candidate in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015.

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 candidate U.I. Guliyeva noted in her appeal that, she was nominated on her own initiative on Zangilan-Gubadli Con.EC # 125 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, collecting signatures of voters in the territory of the same constituency she submitted to the Con.EC signature sheets and other important documents attached to it, but being invalid registration of her candidacy was rejected by decision of the Con.EC.

During investigation, it was kept in touch with candidate nominated to deputy and he was informed on his rights to submit additional documents and materials, participate in meeting and investigation.

Con.EC substantiated the decision # 20/78 dated September 28, 2015 on rejection for nomination of the candidacy of U.I. Guliyeva basing on the following: 550 voters' signatures were submitted by candidate, but 128 of these voters in their written apply

addressed to Central Election Commission indicated that giving signatures they were deceived and did not know that the same signatures were for the support of applicant.

During conducted investigation it was defined that Con.EC even if Con.EC did not exactly reflect all determined cases and basis in its decision, pursuant to the Article 113.1.1 of Election Code of it made right conclusion in connection with rejection for registration of U.I. Guliyeva as a candidate to deputy.

So, for the registration of a candidate on behalf of a candidate, it was submitted 550 voters' signatures in 11 signature sheets but 128 voters making written apply to the Constituency Election Commission showed that they were cheated in process of giving signatures and they did not know that the same signatures were for the support of candidate to deputy. During investigation, carried out in Central Election Commission the same voters confirmed the fact of applying to Con.EC with application on considered invalid signatures.

Pursuant to the Article 113.1.1 of Election Code, the election commission can refuse registration of a candidate if the information they submit according to this Code is not true or their invalidity is of great importance (except the cases mentioned in Article 60.3 of this Code.)

On behalf of a candidate for the registration of a candidate 128 submitted signatures at the basis of mentioned are considered to be invalid and have important meaning and after exclusion of the same signatures the rest of 422 signatures were not enough for the registration of a candidate, so on behalf of working group acting under Central Election Commission there were no necessity in checking of signatures that were considered to be invalid by Con.EC on other basis.

Pursuant to Article 147.1 of Election Code of the Republic of Azerbaijan at least 450 voters' signatures should be collected in support of a candidate within the territory of the constituency for which he/she has been nominated.

Pursuant to the mentioned, complaint being invalid shall not be implemented; decision #20/78, dated September 28, 2015 on rejection for registration of candidacy on Zangilan-Gubadli Con.EC # 125 shall be kept in force being amended.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 112, 112-1, 113.1.1, 147 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 # 52, dated October 7, 2015, on nomination of Ulduz Ismixan Guliyeva on her own initiative on Zangilan-Gubadli Con.EC # 125 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 being invalid shall not be implemented, decision # 20/78 of Con.EC, dated September 28, 2015 shall be kept in force without being amended.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Deputy Chairman

Natig Mammadov

CEC Secretary

Arifa Mukhtarova