

DECISION

of Central Election Commission of the Republic of Azerbaijan

**on consideration of the appeal # 51 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 his written apply addressed to the Central Election Commission on October 7, 2015, Iltizam Nizam Akbarli nominated to deputy on "Musavat" Party on Imishli Con.EC # 79 challenged the decision of Con.EC on refusal to register as a candidate and requested to cancel the same decision and register him 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 I.N. Akbarli noted in his appeal that, he was nominated on "Musavat" Party on Imishli Con.EC # 79 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 he submitted to the Con.EC signature sheets and other important documents attached to it, if even 534 of the same signatures are considered to be valid but he did not indicated estate as if belonging to him in submitted information on property, being invalid registration of his candidacy was rejected by relevant decision of Con.EC.

Decision # 24/63 of Con.EC, dated October 5, 2015 on rejection for registration of I.N. Akbarli as a candidate is basing on the following: he did not enter right information on property in election documents (refer to Articles 60.1 and 60.2.3 of Election Code). The basis for making the same decision was the fact of that candidate did not indicated estate 0,06 hec. in the information on property submitted by him.

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 session and investigation. He informed that he supported his complaint and for reasonable excuse he could not take part in session and requested to invite the authorized representative of “Musavat” Party for participating in session. The participation of the authorized representative in session was ensured.

During investigation working group under CEC examined the information on property belonging to the candidate (at the basis of property law) as well as number and sources of his income. Thus, in compliance with the above mentioned, Working group under CEC indicates in its opinion, dated October 8, 2015, that in letter of Imishli municipality, dated October 2, 2015, property estate – 0,06 hec. as if belonging to I.N. Akbarli was not registered under his name in state register of real estate. So it was defined that the information on property submitted by candidate was correct.

Voters’ signatures submitted for the support of candidate were examined in Con.EC. In the results of the above-mentioned, determined valid voters’ signatures were enough for the registration of a candidate. Thus, there was no necessity for checking voters’ signatures by working group under Central Election Commission.

Pursuant to the mentioned, complaint being valid shall be implemented; decision #24/63, dated October 5, 2015 on rejection for registration of candidate on Imishli Con.EC # 79 shall be cancelled, I.N. Akbarli shall be registered as a candidate to deputy from the same Con.EC.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 112, 112-1, 147.1, 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 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 # 51, dated October 7, 2015, on nomination of Iltizam Nizam Akbarli on “Musavat” Party on Imishli Con.EC # 79 in the Elections to the Milli Majlis of the

Republic of Azerbaijan on November 1, 2015 shall be implemented; decision # 24/63 of Con.EC, dated October 5, 2015, shall be cancelled.

2. Iltizam Nizam Akbarli nominated on “Musavat” Party on Imishli Con.EC # 79 shall be registered as a candidate to the deputy on the same Con.EC.

3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Deputy Chairman

Natig Mammadov

CEC Secretary

Arifa Mukhtarova