

## 06DECISION

### **of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 31 submitted to the Central Election Commission on January 18, 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 18, 2020, TagiyevElbarizRafail, self-nominee to deputy onShamkirCon.EC # 98 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020challenged the decision # 06/18, dated January 13, 2020 of the Con.EC on refusal to register his candidacy and requested for the redress of his 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 E.R.Tagiyev informed that his candidacy had been nominated in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 was refused to be registered by the Con.EC decision # 06/18, because he had not submitted correct information on the property belonging to him based on the right to property.

The applicant was contacted in connection with the investigation, was told to participate in the investigation and the session, and was told that he had other rights, but he refused to participate in the session.

The Con.EC substantiated its argued decision on the refusal from registering the candidacy of E.R.Tagiyev the grounds that he had not submitted correct information on the real estate belonging to him based on the right to property.

The documents for registration submitted by candidate E.R.Tagiyevwere required from the Con.EC and provided to the CEC Working Group for checking. It is determined from the opinion of the Working Group under the Central Election Commission dated January 18, 2020 that candidate E.R.Tagiyev possessed agricultural lands registered by the state belonging to him based on the right to property, which had not been indicated in the submitted information on property.

Thus, not providing correct information on property belonging to him by E.R.Tagiyevto the Con.EC is the legal ground for refusal of registering the candidacy as in compliance with 60.2.3 of the Election Code.

Basing on the above-mentioned, the appeal shall not be implemented and the decision # 06/18 dated January 13, 2020 of that Con.EC on the refusal from registering the candidacy of E.R.Tagiyev 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 and 148 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 # 31 submitted on January 18, 2020 by TagiyevElbarizRafail, self-nominee to deputy onShamkirCon.EC # 98 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall not be implemented due to groundlessness and the decision # 06/18, dated January 13, 2020 shall be remained in force without making amendments.

2. The decision shall be enforced upon its publication.

CEC Chairman                      MazahirPanahov

CEC Secretary                  ArifaMukhtarova

CEC Secretary                      MikayilRahimov