

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 19 submitted to the Central Election Commission on September 30, 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 September 30, 2015, Agha-zade Igbal Fehruz, authorized representative of Hope Party in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 challenged the decision of Con.EC on refusal to register the candidacy of Mammadova Tamilla Famil, nominee by Hope Party on Tartar Con.EC # 95 and requested for the redress of the violated rights of the candidate 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.

T.F.Mammadova, nominee by Hope Party was invited to the investigation process and her participation was provided by the Central Election Commission.

In his appeal candidate Agha-zade Igbal Fehruz, authorized representative of Hope Party informed that T.F.Mammadova had been nominated by Hope Party on Tartar Con.EC # 95 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, signature sheets and other necessary documents attached to them were submitted to the Con.EC upon collecting voters' signatures within that constituency, but the Con.EC refused from registering the candidacy of T.F.Mammadova without any grounds.

The Con.EC substantiated its decision on the refusal from registering T.F.Mammadova on the grounds that 169 of 550 voters' signatures included in signature sheets (118 due to inaccuracy of the data in ID cards and those who do not live within the constituency or not registered within that area and 51 due to the examination of signatures) were considered invalid.

169 voters' signatures considered invalid by the Con.EC were examined by the Working Group under the Central Election Commission and 122 of the voters' signatures were determined to be invalid.

The claims that the plaintiff had not been invited to the examination process of signature sheets and necessary documents for registration, as well as, to the session of the Con.EC, inter alia, he had not been provided the protocol of the Working Group on examination of signatures had not been justified.

Thus, candidate T.F.Mammadova participated at the relevant session of the Working

Group and was provided copies of the protocol of the Working Group, table of the examination results of voters' signatures, also opinion of the Expert Group member.

Since 122 of 550 voters' signatures submitted for the registration of the candidate had been considered invalid due to the above-mentioned grounds and the number of the remaining voters' signatures has not been sufficient for registration, the candidacy shall not be registered as defined in the Article 59.12 of the Election Code.

Pursuant to Article # 147.1 of Election Code of the Republic of Azerbaijan, at least 450 voters' signatures shall be collected in support of the candidate within the constituency the candidate has been nominated on.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 10/78 of Tartar Con.EC # 95, dated September 28, 2015 on the refusal from registering the candidacy of T.F.Mammadova shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 56, 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 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 # 19 submitted by Agha-zade Igbal Fehrüz, authorized representative of Hope Party on September 30, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall not be implemented due to groundlessness and the decision # 10/78 of that Con.EC dated September 28, 2015 shall be remained in force without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov