

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 1522 submitted to the Central Election Commission on February 7, 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 February 7, 2020, A.B.Maharramov, chairman of Ismayilli Con.EC # 86 in the Elections to the MilliMajlis of the Republic of Azerbaijan noted on the information received by the commission on dual citizenship of Mazahir Safar Shahvaladov, registered candidate on Ismayilli Con.EC # 86 and requested to undertake relevant measures.

Election documents of registered candidate M.S.Shahvaladov were requested by Con.EC and it was revealed that he submitted a notification and application on commitment nominating his candidacy on own initiative on Ismayilli Con.EC # 86 to the Con.EC on December 14, 2019 and signed that he was a citizen of the Republic of Azerbaijan, had the right to participate in elections, did not have dual citizenship and commitment before other countries. During the Con.EC session, dated December 15, 2019 his candidacy was approved and he was issued signature sheets, he submitted signature sheets and other attached election documents to the Con.EC and after he was registered on December 27, 2019, was provided with a card for a registered candidate to deputy.

It was determined through the investigation that since M.S.Shahvaladov got citizenship of the Russian Federation, he was issued a relevant passport of the Russian Federation on January 30, 2019.

Thus, a fact of M.S.Shahvaladov, a citizen of the Republic of Azerbaijan was revealed meanwhile, to be a citizen of the Russian Federation.

The second part of Article 85 of the Constitution of the Republic of Azerbaijan implied that the persons with dual citizenship, commitment before other states, who serve in executive or court systems, who deal with payable activity excluding scientific, pedagogical and creativity, religious people, the persons whose incapability have been confirmed by court, accused persons for grave crimes and imprisoned persons by the enforced court verdict cannot be elected deputy of the MilliMajlis of the Republic of Azerbaijan.

Pursuant to Article 13.3.3 of the Election Code of the Republic of Azerbaijan, a citizen of the Republic of Azerbaijan who has got dual citizenship does not have a right to be elected a deputy of the MilliMajlis until their dual citizenship remain.

Thus, registration of the candidacy of M.S.Shahvaladov who has got dual citizenship was contrary to the Constitution and Election Code of the Republic of Azerbaijan.

Therefore, the decision # 49/116, dated 27 December 2019 of Ismayilli Con.EC # 86 shall be annulled and a card # 05, dated 2 January 2020, provided to registered candidate M.S.Shahvaladov shall be regarded invalid.

Taking the above mentioned as a basis, pursuant to Article 85 of the Constitution and Articles 13, 19.4, 25.2.1, 52.2.22, 28.2 and 148.1 of Election Code of the Republic, the Central Election Commission decides:

1. Upon considering the cases contrary to the Constitution and Election Code of the Republic of Azerbaijan rooted from the reveal of a fact on Mazahir Safar Shahvaladov, registered candidate on Ismayilli Con.EC # 86 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 to be a citizen of the Russian Federation, the Con.EC decision # 49/116, dated 27 December 2019 of Ismayilli Con.EC # 86 on the registration of his candidacy on that election constituency shall be annulled and a card # # 05, dated 2 January 2020, provided to registered candidate M.S.Shahvaladov shall be regarded invalid.

2. The decision shall be enforced upon its publication

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov