

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 8 submitted to the Central Election Commission on January 5, 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 5, 2020, Hasanov Samir Gazanfar, self-nominee to deputy on Absheron Con.EC # 45 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision # 35/465, dated December 31, 2019 of Absheron Con.EC # 45 on refusal to register his candidacy and requested for the redress of his violated rights upon making a relevant decision by decision 35/465.

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 S.G.Hasanov informed that his candidacy had been nominated on own initiative on Absheron Con.EC # 45 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020, 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 his candidacy 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, and that his participation in the session was ensured.

The Constituency Election Commission justified S.G. Hasanov's decision to refuse to register his candidacy with the candidate's inaccurate reporting on his property

The Con.EC substantiated its argued decision on the refusal from registering the candidacy of S.G.Hasanov on the grounds that he had not submitted correct information on the property belonging to him based on the right to property.

The relevant documents related to the inquiry were requested by the Con.EC and it was determined that the candidate S.G.Hasanov did not submit information about the real estate belonging to him to the Con.EC. In this regard, it is determined from the opinion of the Working Group under the Central Election Commission dated January 7, 2020 that according to a reference from the State Register Service of Real Estate under the State Committee on Property Issues, real estate belonging to the candidate S.G.Hasanov had been registered.

Not providing correct information on property belonging to him by S.G.Hasanov to 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 # 35/465 dated December 31, 2019 of that Con.EC on the refusal from registering the candidacy of S.G. Hasanov 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 # 8 submitted on January 5, 2020 by Hasanov Samir Gazanfar, self-nominee to deputy on Absheron Con.EC # 45 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 # 35/465 of that Con.EC dated December 31, 2019 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