

## **DECISION**

### **of Central Election Commission of the Republic of Azerbaijan**

**on consideration of the appeal # 45 submitted to the Central Election Commission on October 6, 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 6, 2015, İmanlı Salman Mahammad, nominated by Umid Party on Kapaz second (Ganja) Con.EC # 40 challenged the decision 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 S.M.İmanlı informed that his candidacy had been on Kapaz second (Ganja) Con.EC # 40 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 his candidacy without any grounds.

The Con.EC substantiated its decision on the refusal from registering nominee S.M.İmanlı on the grounds that the information included in the documents on the candidate's income had not been accurate, meanwhile, the number of valid voters' signatures to register the candidate had not been sufficient.

During the investigation process the applicant and his authorized representative were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, inter alia, the participation of the authorized representative of Umid Party was provided by the Central Election Commission.

During the investigation process conducted by the Central Election Commission was defined from the official document submitted by the relevant state authority that, candidate S.M.İmanlı received income from entrepreneurial activity, however the information included in the relevant documents on the amount and sources of the candidate's income in comply with requirements of Article # 58.1.4 had not been accurate .

Pursuant to Article # 60.2.3 of Election Code, the candidate shall be refused to register as a candidate due to inaccurate information included to the election document.

In this case, there is no need to examine the submitted voters' signatures in support of a candidate.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 21/62 of Kapaz second (Ganja) Con.EC # 40, dated October 5, 2015 on the refusal from registering the candidacy of S.M.Imanli shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 56, 58.1.4, 60, 112, 112-1 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 # 45 submitted by Imanli Salman Mahammad, nominated by Umid Party on Kapaz second (Ganja) Con.EC # 40 on October 6, 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 # 21/62 of that Con.EC dated October 5, 2015 shall be remained in force.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov