

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 76 submitted to the Central Election Commission on October 10, 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 10, 2015, Alakbarov Nizami Maharram, nominated by "AZADLIG-2015" bloc of political parties on Khatai third Con.EC # 35 challenged the decision of the Con.EC on refusal to register his candidacy, requested for the annul of the relevant decision and register him as a candidate.

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 N.M.Alakbarov informed that his candidacy had been nominated on Khatai third Con.EC # 35 by "AZADLIG-2015" bloc of political parties 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 497 voters' signatures within that constituency, but the Con.EC did not inform him on investigation of signatures, information on the session was given late, since he went to the hospital, could not participate there, consequently was refused from registering his candidacy without any grounds considering some of the signatures invalid on various grounds. At the same time he noticed in his appeal that, since his candidacy had been nominated by "AZADLIG-2015" bloc of political parties in the decision # 17/2.2 dated October 6, 2015, of the Con.EC was written that his candidacy had been nominated by Classic Popular Front Party.

During the investigation process the applicant had been tried to contact by the contact number indicated in the appeal, it was not successful.

It was defined from the decision # 18/3 dated October 8, 2015, on correction of incorrectness submitted by Khatai third Con.EC # 35 that, incorrectness on nomination of N.M.Alakbarov, nominated by "AZADLIG-2015" bloc of political parties, by Classic Popular Front Party (which also included to the "AZADLIG-2015" bloc of political parties) in the decision #17/2.2 of the Con.EC was eliminated. A copy of the decision was delivered to the interested person.

The protocol and opinions dated October 11, 2015, compiled by the Working Group under the Central Election Commission upon the examination of the necessary

documents for the registration of the candidate reveal that the 113 voters' signatures out of 497 included in 10 signature sheets submitted for the registration of N.M.Alakbarov were considered invalid. Thus, the number of remaining valid voters' signatures to register the candidate had not been sufficient and the challenged decision of the Con.EC should be considered grounded.

During the investigation process was defined that, since the Con.EC failed while compiling its argued decision, had a correct conclusion on refusal to register N.M.Alakbarov as a candidate with the grounds.

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 # 17/2.2 of Khatai third Con.EC # 35, dated October 6, 2015 on the refusal from registering the candidacy of N.M.Alakbarov shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60, 112, 112-1, 147.1 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 # 76 submitted by Alakbarov Nizami Maharram, nominated by "AZADLIG-2015" bloc of political parties on Khatai third Con.EC # 35 on October 10, 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 # 17/2.2 of that Con.EC dated October 6, 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