

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 10 submitted to the Central Election Commission on January 6, 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 6, 2020, Alikhanov Toghrl Mustafaself-nominated to deputy on Sumgayit-Khizi Con.EC # 44 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision # 1/2 of Con.EC dated January 1, 2020 on the refusal to register him as a candidate and therefore requested to annul that decision and restore his offended rights, also to register his candidacy.

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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration", 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.

Candidate T.M.Alikhanov noted in his appeal that he nominated his candidacy on his own initiative on Sumgait-Khizi Con.EC # 44 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020, submitted signature sheets with collected signatures of voters within that constituency and other necessary documents to the Con.EC, but it was unreasonably refused to register his candidacy due to the relevant decision of Con.EC.

The Con.EC justified the decision on the refusal to register T.M.Alikhanov, nominated to deputy, as a candidate that there had not been a sufficient number of valid signatures of voters for the registration of the candidate.

During the investigation process the plaintiff was contacted with, informed on his rights to take part at the investigation and session, also the time of the session.

During the investigation, it seems from the protocol and opinions dated on January 7, 2020 of the working group under CEC compiled as a result of checking the necessary documents for the registration of candidate that the signatures of voters in signature sheets submitted by T.M.Alikhanov for registration of the candidacy were collected according to the rules of the Election Code. Thus, 458 of 470 voters' signatures collected by the candidate were considered valid and it was sufficient for registration of the candidate.

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

Based on the afore-mentioned, legal grounds have been established to ensure the appeal and to cancel the contested decision of the Con.EC.

Thus, based on the results of the investigation, the complaint shall be implemented, the decision # 1/2 dated January 1, 2020 of the Constituency Election Commission on refusal of registration of T.M. Alikhanov as a candidate shall be canceled and he shall be registered as a candidate on that election constituency.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 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 filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration" the Central Election Commission decides:

1. The appeal # 10 submitted by AlikhanovTogrul Mustafa self-nominee to deputy on Sumgait-Khizi Con.EC # 44 to the Central Election Commission on January 6, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall be ensured and the decision # 1/2 on refusal to register him as a candidate adopted on January 1, 2020 shall be annulled.
2. AlikhanovToghrul Mustafaself-nominee on Sumgait-Khizi Con.EC # 44 shall be registered as a candidate on that election constituency.
3. The decision shall be enforced upon its publication

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov