DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 59 submitted to the Central Election Commission on October 8, 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 8, 2015, Kazimov Azer Khudayar, nominated on own initiative 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 A.Kh.Kazimov 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 the candidacy of A.Kh.Kazimov, nominated on own initiative on the grounds that the voters' signatures in the support of the candidate collected had been collected under the violation of the rules enshrined in the Election Code of the Republic of Azerbaijan.

Since the applicant had been tried to contact related with investigation, it was not successful.

During the investigation process conducted by the Central Election Commission was defined that 193 of the voters included in signature sheets did not live, were not registered within the territory of Kapaz second (Ganja) Con.EC # 40 and their names were not on voters' lists of that Con.EC.

Pursuant to Articles # 56.2 and 147.1 of Election Code, at least 450 signatures of the voters in support of the candidates should be collected within the territory of the election constituency they have been nominated for.

Basing on the above-mentioned, since 193 voters' signatures collected in support of the candidate A.Kh.Kazimov were considered invalid and the remaining valid signatures

had not been sufficient to register the candidate, pursuant to Article # 59.12 of Election Code of the Republic of Azerbaijan the candidate shall not be registered.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 22/64 of Kapaz second (Ganja) Con.EC # 40, dated October 6, 2015 on the refusal from registering the candidacy of A.Kh.Kazimov shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 56, 57, 59.12, 60, 112, 112-1, 147, 148.1of 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 # 59 submitted by Kazimov Azer Khudayar, nominated on own initiative on Kapaz second (Ganja) Con.EC # 40 on October 8, 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 # 22/64 of that Con.EC dated October 6, 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