

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 58, 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, Farajov Saday Khalid, nominated by Musavat Party on Neftchala Con.EC # 61 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.

During the investigation process the applicant was contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, his participation in the session of the Central Election Commission was provided.

In the appeal nominee S.Kh. Farajov informed that his candidacy had been nominated by Musavat Party on Neftchala Con.EC # 61 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, his participation in the examination process of signature sheets by Working Group was not provided, the copy of the protocol and schedule on results of this examination were not submitted to him.

The Con.EC substantiated its decision on the refusal from registering nominee S.Kh. Farajov on the grounds that the number of valid voters' signatures to register the candidate had not been sufficient.

The protocol and opinions 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 voters' signatures included in signature sheets submitted for the registration of S.Kh.Farajov had been collected in comply with the rules enshrined in the Election Code. Thus, 483 voters' signatures out of 550 collected by the candidate were considered valid, which is sufficient to register him.

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 be implemented due to grounded factors and the decision # 20/56 of Neftchala Con.EC # 61, dated October 6, 2015 on the refusal from registering the candidacy of S.Kh.Farajov shall be annulled and he shall be registered as a candidate.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 28.4, 56, 59, 60, 112, 112-1, 147.1 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 # 58 submitted by Farajov Saday Khalid, nominated by Musavat Party on Neftchala Con.EC # 61 on October 8, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall be implemented due to grounded factors and the decision # 20/56 of that Con.EC dated October 6, 2015 shall be annulled.
2. Farajov Saday Khalid, nominated by Musavat Party on Neftchala Con.EC # 61 shall be registered as a candidate on that election constituency.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov