

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 57, 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 her written apply addressed to the Central Election Commission on October 8, 2015, Sadikhli Nushaba Agabala, nominated by Musavat Party on Sabail Con.EC # 29 challenged the decision of the Con.EC on refusal to register her candidacy, requested for the annul of the relevant decision and register her 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 the candidate N.A.Sadikhli informed that her candidacy had been nominated by Musavat Party on Sabail Con.EC # 29 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 did not inform her authorized representative on verification of signatures, his participation in that process was not provided, consequently registration of her candidacy was refused without any grounds.

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. She informed that defended her application and could not attend the session for a respectful reason. The participation of the authorized representative of Musavat Party in the session was provided.

The Con.EC substantiated its argued decision # 23/59 dated on October 7, 2015, on the refusal from registering the candidacy of N.A.Sadikhli, nominated by Musavat Party on the grounds that submitted 500 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 reveal that 147 voters' signatures collected in support of the candidate were considered invalid due to the incorrect information on voters, also 9 of the voters included in signature sheets did not live, were not registered within the territory of that Con.EC and their names were not on voters' lists of that Con.EC. Thus, since the number of valid signatures is not sufficient, N.A.Sadikhli shall not be registered as a candidate.

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.

It was defined that, the candidate N.A.Sadikhli and her authorized representative R.Amiraslanov participated in the accuracy checking process of signature sheets and other election documents collected in support of the candidate on October 6, 2015, were informed on the date of the session of the Con.EC, were invited to participate in the session, the participation of Sh.Rahmanov, the authorized representative of Musavat Party in the session on October 7, 2015 was provided.

Basing on the above-mentioned, the complaint shall not be implemented due to groundlessness and the decision # 23/59 of Sabail Con.EC # 29, dated October 7, 2015 on the refusal from registering the candidacy of the candidate shall be remained in force without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60.2.4, 112, 112-1, 147 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 # 57 submitted by Sadikhli Nushaba Agabala, nominated by Musavat Party on Sabail Con.EC # 29 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 # 23/59 of that Con.EC dated October 7, 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