

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 22 submitted to the Central Election Commission on January 16, 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 16, 2020, Imamov Punhan Shahin, nominee to deputy by Civic Solidarity Party on Shaki first Con.EC # 144 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision # 7/16 of that Con.EC, dated January 14, 2020 on the refusal to register him as a candidate and therefore, requested to restore his offended rights upon the adoption of 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 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 P.Sh.Imanov informed in his appeal that by decision 7/16 of Shaki first Con.EC # 144 refused to register him as a candidate in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 for failing to provide accurate information on the property.

During the investigation process the plaintiff was contacted with, informed on his rights to take part at the investigation and session, his participation was ensured at the Commissions session.

The constituency election commission substantiated its decision to refuse to register P.Sh.Imanov as a candidate by not showing candidate's real estate in share property on the basis of the right to property.

The documents submitted for registration of the candidacy by the candidate P.Sh.Imanov were submitted to the Working Group under the Central Election Commission for verification. A Working Group Opinion dated January 16, 2020 shows that the agricultural land belonging to the candidate P.Sh.Imanov has not been specified in the property, but the state-owned agricultural land has been found on the basis of the share ownership.

Failure of candidate P.Sh.Imanov to submit to the Con.EC about the real estate provided a legal basis for refusal to not register his candidacy in accordance with Article 60.2.3 of the Election Code.

Thus, based on the results of the investigation, the complaint shall not be implemented, the decision # 07/16 dated January 14, 2020 of the Constituency Election Commission

on refusal of registration of P.Sh.Imanovas a candidate shall be remained without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 112, 112-1, 148 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 # 22 submitted by to the Central Election Commission on January 16, 2020 by ImamovPunhanShahin,nominee to deputy by Civic Solidarity Partyon Shaki first Con.EC # 144in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall not be implementeddue to groundlessness and the Con.EC decision # 07/16on refusal to register him as a candidate adopted on January 14, 2020 shall be remained enforced without making amendments.
2. The decision shall be enforced upon its publication

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov