

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 36, submitted to the Central Election Commission on October 6, 2015 and the appeal # 46 submitted to the Central Election Commission on October 6, 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 6, 2015, Hajiyeva Yegana Telman, nominated by Umid Party on Sabunchu first Con.EC # 26 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.

In his written apply addressed to the Central Election Commission on October 6, 2015, Bagirov Kazim Almammad, nominated to deputy by that election constituency, claiming on violations by the Con.EC in the examination process of signature sheets and other necessary documents attached to them submitted in support of candidacy of Hajiyeva Yegana Telman, asked for taking appropriate action.

The complaints were 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”, investigated as joint proceedings, 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 Y.T.Hajiyeva informed that her candidacy had been nominated by Umid Party on Sabunchu first Con.EC # 26 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 participation of the candidate Y.T.Hajiyeva in the session of Commission was ensured.

During the investigation process the registered candidate K.A.Bagirov were contacted, informed on the rights to submit additional documents and materials, also to participate in the investigation and session, he informed that defended his application and could not attend the session for a respectful reason.

The decision of the Con.EC on refusal to register candidacy of Y.T.Hajiyeva, nominated by Umid Party, dated October 4, 2015, was based on Article 60.2.4 of Election Code.

The protocol and opinions dated October 4, 2015, 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 418 voters' signatures out of 550 included in 11 signature sheets submitted for the registration of Y.T.Hajiyeva were considered valid. Thus, the number of valid voters' signatures to register the candidate had not been sufficient and the challenged decision of the Con.EC should be considered grounded.

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.

Pursuant to Article # 60.2.4 of Election Code of the Republic of Azerbaijan, if the number of submitted valid (correct) voters' signatures presented in support of a candidate is less than required, it is a ground for refusal of registration.

Basing on the above-mentioned, the complaint of the candidate Y.T.Hajiyeva shall not be implemented due to groundlessness, the decision # 24/58 of Sabunchu first Con.EC # 26, dated October 4, 2015 on the refusal from registering the candidacy shall be remained in force without making amendments, and the complaint of the candidate K.A.Bagirov shall be implemented.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60, 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 # 36 submitted by Hajiyeva Yegana Telman, nominated by Umid Party on Sabunchu first Con.EC # 26 on October 6, 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 # 24/58 of that Con.EC dated October 4, 2015 shall be remained in force.
2. The appeal # 46 submitted by the registered candidate Bagirov Kazim Almammad on Sabunchu first Con.EC # 26 on October 6, 2015 shall be implemented.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov