

DECISION

of Central Election Commission of the Republic of Azerbaijan

on consideration of the appeal # 71 submitted to the Central Election Commission on October 9, 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 9, 2015, Gasimova Elza Nuru, nominated on own initiative on Shabran-Siyazan Con.EC # 54 challenged the decision of the Con.EC on refusal to register her candidacy and requested for the redress of her 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.

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, her participation in the investigation and session of the Central Election Commission was provided.

In the appeal nominee E.N.Gasimova informed that her candidacy had been nominated on own initiative on Shabran-Siyazan Con.EC # 54 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 her candidacy without any grounds.

The Con.EC substantiated its decision on the refusal from registering the candidacy of E.N.Gasimova on the grounds that 180 voters who have provided voters' signatures submitted in support of a candidate had appealed to the Con.EC on various grounds on determination of invalidity of their signatures.

During the investigation process of these appeals was defined that, 78 appeals submitted to the Con.EC includes refusal of applicants from their signatures, since 102 appeals are not justified in accordance with the requirements of the election legislation for determination of invalidity of signatures, shall not be taken as a basis.

Thus, the number of valid voters' signatures had been sufficient to register E.N.Gasimova 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.

Basing on the above-mentioned, the complaint shall be implemented due to grounded factors and the decision # 23/73 of Shabran-Siyazan Con.EC # 54, dated October 8, 2015 on the refusal from registering the candidacy of E.N.Gasimova shall be annulled and she shall be registered as a candidate.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 60, 112, 112-1, 113.1.1, 147.1 and 148.1 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 # 71 submitted by Gasimova Elza Nuru, nominated on her own initiative on Shabran-Siyazan Con.EC # 54 on October 9, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall be implemented and the decision # 23/73 of that Con.EC dated October 8, 2015 shall be annulled.
2. Gasimova Elza Nuru nominated on her own initiative on Shabran-Siyazan Con.EC # 54 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