

DECISION

of Central Election Commission of the Republic of Azerbaijan

**on consideration of the appeal # 49 submitted to the Central Election Commission
on October 7, 2015 in the Elections to the Milli Majlis of the Republic of
Azerbaijan on November 1, 2015**

Rahimli Mubariz Shamsaddin nominated to deputy on its own initiative on Narimanov first Con.EC # 19 challenged the decision of the same Con.EC on refusal to register him as candidate and requested to restore violated rights by making relevant decision in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015.

The appeal was adopted for the implementation in comply with Articles 112 and 112- 1 of the Election Code of the Republic of Azerbaijan and requirements of "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 of the Republic of Azerbaijan and considered at the Commission session upon the investigation of the appeal by the Expert Group member.

During investigation, it was kept in touch with candidate nominated to deputy and he was informed on his rights to submit additional documents and materials, participate in session and investigation, his participation was ensured in investigation and session of Central Election Commission.

The candidate M.Sh. Rahimli noted in his appeal that, he was nominated on his own initiative on Narimanov first Con.EC # 19 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, collecting signatures of voters in the territory of the same constituency he submitted to the Con.EC signature sheets and other election documents attached to it, but being invalid registration of his candidacy was rejected by relevant decision of the Con.EC.

Con.EC substantiated the decision on rejection for registration of the candidacy of M.Sh. Rahimli that number of valid voters' signatures for registration of a candidate was not enough.

Working group under Central Election Commission examined necessary documents for registration of a candidate. At the result of the above-mentioned, protocol and opinions, composed on October 8, 2015, indicates that M.Sh. Rahimli submitted 550 signatures in signature sheets for registration him as a candidate but only 425 of them were considered to be valid.

The number of valid voters' signatures for registration of a candidate was not enough. So, there was no basis for registration of a candidate.

Pursuant to Article 147.1 of Election Code of the Republic of Azerbaijan at least 450 voters' signatures should be collected in support of a candidate within the territory of the constituency for which he/she has been nominated.

Pursuant to the requirement of Article 60.2.4 of the same Code, the number of necessary valid (correct) voters' signatures submitted for the support of a candidate was not enough and it is considered to be basis for rejection of candidate registration.

So, It was defined that the number of valid signatures submitted for the registration of M.Sh. Rahimli as a candidate was not enough and pursuant to the requirement of the Article 59.12 of the same Code, he shall not be registered as a candidate.

Pursuant to the mentioned, complaint being invalid shall not be implemented; decision # 30/67, dated October 5, 2015 on rejection for registration of M.Sh. Rahimli as a candidate on Narimanov first Con.EC # 19 shall stay in force without being amended.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59.7.4, 59.12 60, 112, 112-1, 147, 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 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 # 49, dated October 7, 2015, on nomination of Rahimli Mubariz Shamsaddin on its own initiative on Narimanov first Con.EC # 19 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, being invalid shall not

be implemented; decision # 30/67 of Con.EC, dated October 5, 2015, shall stay in force without being amended.

2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Deputy Chairman

Natig Mammadov

CEC Secretary

Arifa Mukhtarova