

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 34 submitted to the Central Election Commission on January 20, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020

In the written apply addressed to the Central Election Commission on January 20, 2020, GularMikayilAhmadova, self-nominee to deputy on Yasamal second Con.EC # 16 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 argued the decision # 09/56, dated January 17, 2019 of Yasamal second Con.EC # 16 and requested to annul that decision and to register her candidacy.

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.

G.M.Ahmadova informed in her appeal that her candidacy had been nominated on Yasamal second Con.EC # 16, 10 signature sheets including 500 voters' signatures collected for the registration were submitted to the Con.EC along qithothere lection documents and the Con.EC refused to register her candidacy by the decision # 09/56, dated January 17, 2020. She informed that the decision did not contain the reasons of considering 161 signatures invalid, the roots of the suspicions of examining the signatures by the expertise had not been indicated, she had not been informed on the examination of the signatures and her participation was not ensured, therewith, the Con.EC decision was not submitted to her in time.

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

The constituency election commission substantiated its decision # 09/56, dated January 17, 2020to refuse to register G.M.Ahmadova basing on that she submitted 10 signature sheets including 500 voters' signatures collected for the registration of her candidacy within the election constituency and other attached election documents had been submitted to the Con.EC, upon considering the suspicions caused by some signatures while checking signature sheets by the Working Group under the commission and necessity of examining regarding that, calligrapher experts have been involved in the checking process. 500 signatures submitted to the calligrapher experts of the Court Expertise Centre of the Ministry of Justice of the Republic of Azerbaijan, deployed for the Con.EC to check the accuracy of the signatures were examined and 161 signatures of them were determined to have been implemented by the same person in 36 groups. Since the number of valid (accurate) signatures submitted had been less than the

necessary number, legal grounds were established to refuse from registering the candidacy.

During the investigation signature sheets, attached documents and materials submitted by candidate G.M.Ahmadovawere required from the Con.EC and it was determined that applying to the Con.EC on January 15, 2020, AygunVidadiHasanova, registered candidate on Yasamal second Con.EC # 16 argued the accuracy of signatures submitted by G.M.Ahmadovain support of her candidacy and requested to undertake relevant measures regarding this. As a result of investigating that appeal, the accuracy of some signatures included in the signature sheets submitted in support of G.M.Ahmadova's candidacy caused suspicion,the Con.EC had applied to CEC on January 15, 2020 to deploy calligrapher experts to check them.

161 voters' signature challenged by candidate G.M.Ahmadova were submitted to the CEC Working Group for the repeat checking. Inaccuracy of 125 voters' signatures as following the implementation of the argued 161 signatures by the same person in 36 groups, that had been a ground for the refusal from registration was re-verified by the protocol and expert opinion, dated 20 January 2020.

Pursuant to Article 59.2 of the Election Code, the opinion of the experts involved from the specialists of the relevant bodies shall be adopted as a basis for confirming or denying the accuracy of the information included in signature sheets.

Pursuant to Article 147.1 of the Election Code, at least 450 signatures shall be collected in support of the candidate within the election constituency he has been nominated in. The number of valid (accurate) voters' signatures submitted in support of the candidate less than the necessary number is a ground for the refusal from registering the candidacy, as in compliance with Article 60.2.4 of the Election Code.

It is determined throughthe above-mentioned that since the number of valid (accurate) voters' signatures had not been sufficient to register the candidacy of G.M.Ahmadova,the legal consequence arrived by the Con.EC on the refusal from registering the candidacy complied with the requirements of the Election Code.

The claims of G.M.Ahmadova on not ensuring her participation in the examination of signature sheetscontrary to Article 59.3 of the Election Code was not justified. So that, an act compiled by the Con.EC Working Group members refer that though the candidate had been invited to take part in the examination of the signatures, she did not come to the process.

The claims of candidate G.M.Ahmadova on not informing her on whether the candidacy had been registered or not was not justified. The candidate had been informed on the decision adopted by the Con.EC, requested to get that decision, meanwhile, a copy of the decision was posted to her (delivery is confirmed by the relevant post document) on January 18, 2020.

Basing on the above-mentioned, the appeal of candidate G.M.Ahmadovashall not be implemented due to groundlessness and the Con.EC decision # 09/56, dated

17 January 2020 on the refusal from registering the candidacy shall be remained enforced without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 57, 59, 60, 112, 112-1, 147 and 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 # 34 submitted to the Central Election Commission on January 20, 2020 by Gular Mikayil Ahmadova, self-nominee to deputy on Yasamal second Con.EC # 16 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall not be implemented due to groundlessness and the Con.EC decision 09/56, dated January 17, 2020 shall be remained enforced without being amended.
2. The decision shall be enforced upon its publication

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov