

DECISION

of the Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 24 submitted to the Central Election Commission on August 10, 2024 in the early Elections to the Milli Majlis of the Republic of Azerbaijan on September 1, 2024

In his written apply addressed to the Central Election Commission (hereinafter – Central Election Commission) on August 10, 2024, Imanli Salman Mahammad oghlu, authorized representative of the Azerbaijan Hope Party challenged the Decision # 24/57, dated August 8, 2024 of Con.EC on refusal to register the candidacy of Asgarov Agshin Jahangir oghlu who was nominated to deputy by the Azerbaijan Hope Party on Ganja-Samukh-Goranboy Con.EC # 41 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024 and was requested to cancel that decision and make a decision to register the candidacy.

The appeal was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code (hereinafter – 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”, was examined by a member of the Expert Group under CEC, provided an opinion and considered at the Commission session.

The applicant was contacted in connection with the investigation, he was explained to participate in the investigation and meeting, as well as his other rights, and his participation in the investigation process was ensured, although he was invited to the Commission’s meeting, he did not attend.

Con.EC based its Decision # 24/57 dated August 8, 2024 on refusing to register A.J. Asgarov, with the fact that collected 10 signature sheets with 500 voter signatures and other election documents attached to them were submitted to Con.EC, when checking the signature sheets by the working group operating under the commission, taking into account that it is necessary to check some signatures based on the applications received by a number of citizens, Con.EC applied to the Central Election Commission about the separation of calligrapher experts. Calligrapher experts were selected among the specialists of the working group operating under the Central Election Commission. From the opinions of those experts and from the protocol of the working group on checking the correctness of the signatures on the signature sheets, it can be seen that 260 signatures out of 500 signatures on the submitted 10 signature sheets were checked, 115 of those signatures were considered incorrect. Thus, 92 out of the 500 submitted signatures were considered incorrect. The fact that the submitted valid (correct) signatures are less than the required number was the basis for the refusal to register the candidate.

In the investigation process, the signature sheets submitted by the candidate A.J. Asgarov and the election documents attached to it were taken from Con.EC upon request and submitted to the working group operating under the Central Election Commission for re-checking. Challenged voter signatures, which are the basis for refusal of registration, were repeatedly checked by other calligrapher experts, and the results of the previous examination of signatures were once again confirmed.

According to Article 59.2 of the Election Code, the opinions of the experts involved in the working group from among the specialists of the relevant bodies are accepted as the basis for confirming the correctness of the information contained in the signature sheets.

According to Article 147.1 of the Election Code, at least 450 signatures of voters shall be collected in the territory of EC where he is nominated for the protection of the candidate.

According to the requirements of Article 60.2.4 of the Election Code, less than the required number of valid (correct) signatures submitted for the protection of the candidate is the basis for refusing to register the candidate.

It is determined by the provided information that since the number of valid (correct) signatures was not enough to register the candidacy of A.J. Asgarov, the legal conclusion of Con.EC on refusing to register his candidacy was in accordance with the requirements of the Election Code.

Thus, the application of the Imanli Salman Mahammad oghlu, the authorized representative of the Azerbaijan Hope Party shall not be implemented due to groundlessness and the Decision # 24/57, dated August 8, 2024 of Ganja-Samukh-Goranboy Con.EC # 41 on the refusal to register the candidacy shall be remained enforced without making amendments.

Basing on the above-mentioned and pursuant to Articles 19.4, 28.2, 56, 57, 59, 60, 112, 112-1, 147 and 148.1 of Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6 and 7 of the "Instruction on the rules for filing complaints and appeals to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration" the Central Election Commission **d e c i d e s**:

1. The appeal # 24, dated August 10, 2024 by Imanli Salman Mahammad oghlu, the authorized representative of the Azerbaijan Hope Party in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024 shall not be implemented due to groundlessness and the Decision # 24/57, dated August 8, 2024 of Ganja-Samukh-Goranboy Con.EC # 41 shall be remained enforced without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov